



केन्द्रीय लोक निर्माण विभाग CENTRAL PUBLIC WORKS DEPARTMENT

नियम - पुस्तिका MANUAL



निर्माण कार्य प्रभारित स्थापना WORK CHARGED ESTABLISHMENT

2013 संस्करण
2013 EDITION

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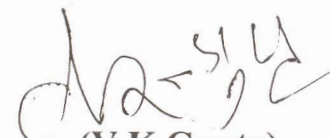
FORWARD

It gives me great pleasure in presenting the 2013 edition of Work Charged Establishment Manual. This manual was last published in June, 2002. All the orders issued after June, 2002 till March, 2013 have been incorporated in this Manual.

This Manual provides broad details of categories of service conditions, promotions and transfer duties, pay and allowances etc. of Work Charged Staff employed in CPWD. In this edition a new chapter 'Court Matters' has also been introduced incorporating the procedure, stages and authority of different Courts/Tribunals.

The contents of this Manual may be read only to obtain broad ideas about the procedure how to handle the cases of the Work Charged Staff. The readers of this Manual are advised to take authority from the actual orders of the Government of India or the Directorate General, CPWD, as may be issued from time to time

I would like to express my appreciation and sincere efforts and dedication put in by Sh. Divakar Garg, ADG (S&P) and his team members.


(V.K. Gupta)
Director General

PREFACE

The C.P.W.D. Work Charged Establishment Manual, 2013, aims to update the 2002 Edition keeping in view the modifications/ amendments in the service conditions/ labour laws applicable to the Work Charged Staff of CPWD.

An attempt has been made to incorporate the latest developments and the present position in a narrative form incorporating all the important orders having bearing on the Work Charged Establishment up to 31.03.2013.

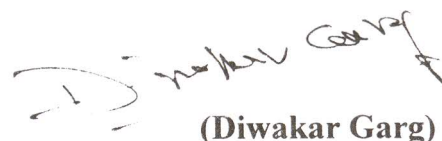
Committee for revision of Work Charged Establishment Manual was constituted under the Chairmanship of CE (NDZ-II) with Director Administration-II; SE (Coord) (E); SE, DCC-VI; SE, DCEC-I; DOH (DR); DDA-IV; & SO, EC-X as members. The committee submitted proposal for revision of Work Charged Establishment Manual on 26.12.2012. This proposal was again reviewed by DDG (HQ) and his team of officers.

This manual has been prepared with the aim of giving general information and guidelines which will facilitate the work charged staff in discharging their duties smoothly and effectively. In case of any doubt or ambiguity, the rules and procedure published by Government should be referred to. I hope that this edition will be found informative and useful and will enable our officers to discharge their functions expeditiously and efficiently.

In this edition, a chapter on 'Court Matters' has been introduced for the first time incorporating the procedure, stages and authority of different Courts/ Tribunals. It will help the CPWD officers in dealing with various court cases relating to the work charged staff.

I am grateful to Sh. V.K.Gupta, DG, CPWD for reposing trust on me to undertake this job and express my deep appreciation to Shri Akhilesh Kumar, CE, NDZ II, Sh. K.C.Singh, DDG (HQ), Sh. V.S.Pandey, Director Administration, Sh. Gautam Banerjee, Office Superintendent Gd.I and Sh. Saurabh Misra, Assistant who have made their sincere efforts to update this Manual.

Though every effort has been made to incorporate all the changes in this Manual, however, if any discrepancy is found, it may be brought to the notice of the DDG (HQ), Directorate General, CPWD, Nirman Bhavan, New Delhi for further modification in the manual.



(Diwakar Garg)

Addl. Director General (S&P)

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SECTION –1-DEFINITION, CATEGORIES, CREATION OF POSTS ETC.

1.01 Definition of Work-charged Establishment

Broadly speaking work-charged establishment means that establishment whose pay and allowances etc. are directly chargeable to “Works”. Work-charged Staff is employed on the actual execution of a specific work, sub-works of a specific work, etc. The cost of work-charged establishment should invariably be shown as a separate sub-head of the estimate for a work. In other respects, the work-charged staffs is comparable to the regular categories.

1.02 Categories of posts in Work-charged Establishment

At present there are 38 categories of posts in the Work-charged Establishment of CPWD. A list of the categories & the scales of pay prescribed for each category and their nature of skill are given in the table at **Annexure-I**.

The following categories of Work Charged Categories are treated as dying categories.

Civil	
	Packer
	Bandhani
	Caneman
	Bhisty
	Blacksmith
Electrical	
	Lineman
	Road Roller Driver
	Turner
	Welder
	Boilerman
	Armature Winder
	Auto Electrician
	Moulder
	Senior Electrician
	Senior Operator
	Fitter
	Lift Mechanic

1.03 Creation of Posts

No posts can be created by the Office of DG, CPWD. For creation of additional posts approval of the Cabinet is required.

1.04 Classification, Character and Status of Work-charged Posts.

As per recommendation of the 6th Central Pay Commission, Group ‘D’ Employees have been placed in Group ‘C’ either on the basis of fulfillment of minimum education i.e. matriculate/ ITI or the necessary training in the PB-1 with

grade pay of Rs. 1800. A list showing the classification of the posts in Work-charged Establishment of CPWD has been annexed as **Annexure-II**.

For the purpose of grant of leave, membership of Trade Union etc. the employees in the Work Charged establishment are regarded as 'Industrial' Staff and governed by Labour laws as applicable to them.

Depending on the skill involved in the duties attached to them, the work- charged posts have been categorised as unskilled, semi-skilled, skilled, highly skilled and skilled supervisory.

The F.R.s and S.R.s are also applicable to the Work-charged staff. Ministry of Law has opined that Work-charged employees in the CPWD are civil servants in terms of Article 311 of the Constitution.

SECTION 2- RECRUITMENT

2.01. Recruitment Rules

Recruitment Rules in respect of the 21 categories in the Work-charged Establishments are under revision. All Posts in the Work-charged Establishments are to be filled in accordance with the provisions in the recruitment rules for the respective categories. Age relaxation as prescribed by Government from time to time will apply in case of posts in Work-charged establishment also. Further in the matter of reemployment of a retrenched Work-charged employee in the same category of post in which he was employed previously the age limit and requirements of educational/technical qualifications or experience if any, prescribed in the relevant recruitment rules, need not be insisted upon.

2.02. Recruitment

The policy regarding engagement of casual workers in Central Government Offices has been reviewed by Government keeping in view of the Judgement of the Supreme Court delivered on the 17th January, 1986 in the Writ Petition filed by Shri Surinder Singh and Others Vs. Union of India and it has been decided to lay down the following guidelines in the matter of recruitment of casual workers on daily wages basis:

- (i) Persons on daily wages should not be recruited for work of regular nature.
- (ii) Deleted
- (iii) The work presently being done by regular staff should be reassessed by the administrative heads concerned for output and productivity so that the work being done by the casual workers could be entrusted to the regular

employees. The Departments may also review the norms of staff for regular work and take steps to get them revised if considered necessary.

- (iv) Where the nature of work entrusted to the casual workers and regular employees is the same, the casual workers may be paid at the rate of 1/30th of the pay at the minimum of the relevant pay scale plus dearness allowance for work of 8 hours a day.
- (v) In cases where the work done by a casual worker is different from the work done by a regular employee, the casual workers may be paid only the minimum wages notified by the Ministry of Labour or the State Govt./Union Territory Administration, whichever is higher as per the Minimum Wages Act. 1948. However, if a Department is already paying daily wages at a higher rate, the practice could be continued with the approval of its Financial Advisor.
- (vi) The casual workers may be given one paid weekly off after six days of continuous work.
- (vii) The payment to the casual workers may be restricted only to the days on which they actually perform duty under the government with a paid weekly off as mentioned at (vi) above. They will however, in addition, be paid for a National Holiday, if it falls on a working day for the casual workers.
- (viii) In cases where it is not possible to entrust all the items of work now being handled by the casual workers to the existing regular staff, additional regular posts may be created to the barest minimum necessary, with the concurrence of the Ministry of Finance.
- (ix) Where work of more than one type is to be performed through the year but each type of work does not justify a separate regular employee, a multifunctional post may be created for handling those items of work with the concurrence of the Ministry of Finance.
- (x) The regularisation of the services of the casual workers will continue to be governed by the instructions issued by Department of Personnel & Training in 'this regard. While considering such regularisation, a casual worker may be given relaxation in the upper age limit only if at the time of initial recruitment as a casual worker, he had not crossed the upper age limit for the relevant post.
- (xi) If a Department wants to make any departure from the above guidelines, it should obtain the prior concurrence of the Ministry of Finance and the Department of Personnel and Training.

By strict and meticulous observance of the guidelines by all Ministries/Departments, it should be ensured that there is no more engagement of casual workers for attending to work of a regular nature, particularly after the review as envisaged above is duly completed. Each Head of Office should also nominate an officer who would scrutinize the engagement of each and every casual worker and the job for which he is being employed to determine whether the work is of casual nature or not.

(Deptt. Of Personnel & Training's O.M. No. 49014 2/86-Estt.(C) dated 7-6-88)

2.02.01. Grant of Special increment to Daily Rated Casual Workers (Muster Roll) for promoting small family norms clarification regarding.

The Department of Personnel & Training have clarified that the Daily Rated Casual Workers are not regular government servant and therefore this concession is not admissible in such cases. Grant of such concession can be considered only from the date a casual worker is regularised in respect of operation undergone after regularization. subject to fulfillment of prescribed conditions.

(DG O.M. No. 20/1/92-EC-X dated 3-3-93)

2.03 Co-ordination arrangement and units of seniority

Coordination functions for all work charged staff, posted in Delhi, Kolkata, Mumbai, Chennai will be carried out by the concerned EE (Coord.) attached with Special DG under DDG (HQ). For Horticulture Work-charged staff Director(Horticulture) DR shall be the coordination authority. (**Annexure-III**)

In Delhi, this will be done by EE (Elect.) (Coord.). In Mumbai, Kolkata and Chennai, Executive Engineers (Coord.) in WR, ER and SR will carry out this function with approval of DDG (HQ) of respective region.

For work charged staff posted outside Delhi, Kolkata, Mumbai, Chennai, the Circles will be units of seniority. The concerned Superintending Engineers (Civil & Electrical) will be responsible for maintaining seniority, promotion, retrenchment etc.

For exceptional units, the concerned Superintending Engineer will carry out the coordination functions. However, as merger of seniority is likely to create complications, the seniority of exceptional units etc., will be maintained separately by the respective SE's and their identity may be maintained as at present till

further orders. The list of Exceptional Units of Seniority for work-charged staff. Civil side as well as Electrical side is appended as **Annexure- III (A)**.

(Reference DG, CPWD Office Order No. 6/5/2001-S&D/23 dated 16th January 2003.) **Annexure-III (B)**

2.04 Recruitment Committees and Appointments

Recruitment Committees at Circle and Division levels will be constituted with the following personnel:

Circle Level :

- (1) Superintending Engineer/Director of Horticulture
- (2) Senior Executive Engineer/ Dy. Director of Horticulture at Headquarters,
- (3) Executive Engineer/ Dy. Director of Horticulture.

Divisional Level:

- (1) Executive Engineer/ Dy. Director of Horticulture.
- (2) Senior most Assistant Engineer/ Assistant Director of Horticulture at Headquarters.
- (3) Assistant Engineer/ Assistant Director of Horticulture.

2.05 Recruitment of Departmental Candidates against Higher posts in the Direct Recruitment Quota.

Work-charged personnel serving in a particular unit of seniority are to be allowed to compete with the external candidates for higher posts in the work-charged establishment filled up by direct recruitment in that Unit of seniority provided they fulfill the age and educational qualifications prescribed for direct recruitment to those higher posts. (See Para 2.03 for units of seniority).

2.06 Registration of Departmental Candidates with Employment Exchange

No objection certificate for registration with the Employment Exchange :-

Such of the members of work-charged establishment as are educationally qualified for equivalent Group 'C' posts may be issued a 'No Objection Certificate' to enable them to register themselves with the Employment Exchange as outsiders.

However, they will not be eligible for priority as is admissible to the educationally qualified erstwhile Group 'D' employees of the regular establishment under the rules 33(29)/5X-FW-V dated 12-11-58.

2.07 Issue of 'No Objection Certificate' to permanent employees for Registration with Employment Exchange

Permanent work-charged employees, who are covered by the instructions contained in the Ministry of Home Affairs O.M. No. 71/27/56- CS(C) dated 4th April. 1956 as amended from time to time, only can be issued 'No Objection Certificate' for registration with the Employment Exchange. At present the following categories of employees are covered under the instructions :-

(i) Persons reverted or transferred to lower posts instead of being discharged due to reduction in establishment provided such reversion or transfer results in the reduction of the individual's pay by more than 30 per cent.

(ii) Persons belonging to Scheduled Castes/Tribes who while employed on certain posts possess academic or technical qualifications for higher posts.

(iii) Educationally qualified erstwhile Group 'D' servants, such of the erstwhile Group 'D' employees who possesses technical, scientific qualifications prescribed for a Group 'C' posts may also be issued a 'No Objection Certificate'.

2.08 Issue of No Objection Certificate to Temporary Employees for Registration with Employment Exchange

Under instructions of Ministry of Home Affairs, temporary employees are eligible for registration with employment exchange for higher posts without production of 'No Objection Certificate'. They have however to produce evidence of their being temporary employees. For this purpose they would need a certificate issued by the appointing authority. The certificate should also state the period of service rendered by the employees. Normally the Head of office should not raise any objection to the registration of a temporary employee with the Employment Exchange for a higher post unless they come to the conclusion that it would be prejudicial to the public interest to allow the employee concerned to register himself at the Employment Exchange. The term 'Public Interest' should be interpreted with circumspection and not in a routine manner. If any certificate is withheld the reasons should be recorded in writing and approval of the next higher authority obtained.

2.09. Medical Examination and verification of Character and Antecedents.

Work-charged Staff should be got medically examined at the time of initial appointment by the competent medical authority. Similarly, the character and antecedents of the work-charged staff should be got verified at the time of their initial appointment.

SECTION-3- SERVICE RECORDS OF WORKCHARGED STAFF

3.01. Opening of Service Books.

When any fresh appointment to the work charged establishment is made a Service Book should be opened immediately. This is the same as is prescribed for regular Government servants. Utmost care should be exercised in filling the first page of the Service Books particularly in the spellings of the name of the employees', his age, his fathers' name, his native place, his height and mark of personnel identification etc. the employees' name should be spelt as he writes it or, if he is illiterate, as he pronounces it. The entries on the first page of the Service Book should be attested under the signature and stamp of a Gazetted Officer.

3.02. Recording of date of Birth in the service Roll.

In the case of a literate worker, the date of birth mentioned in his Matriculation/School leaving certificate is to be accepted as his date of birth and recorded in the service Roll. In the case of illiterate worker he is required to produce some documentary evidence, if available e.g. an extract from the Municipal Birth register, Baptismal Certificate etc. where no such proof is available the worker on entering service should declare his date of birth which shall not differ from any declaration, expressed employed made for any public purpose before entering into service in CPWD. The declaration should be signed by the person and attested by a witness or if the person is illiterate, his thumb impression should be taken in the presence of literate witness, whose signature should also be taken.

When the year and the month of birth are known, but not exact date, the 16th of the month shall be treated as the date of birth. Similarly, when the exact month is not known but the year is only known, the date of birth should be taken as 1st July of that year.

When a person entering service is unable to give his date of birth, but gives his age, he should be assumed to have completed the stated age on the date of

attestation e.g., if a person enters service on 1st April, 1983 and if on that date is age is stated to be 20 years, his date of birth should be taken as 1st April, 1963.

Where the person concerned is unable to state his age or the age stated by him is obviously incorrect, it should be got assessed by the Medical Officer and the age so assessed entered in his record of service in the manner described above. The date of birth should also be written in words and attested under the signature and stamp of the Divisional Officer.

The date of birth declared by the Government Servant accepted by the appropriate authority shall not be subjected to any alteration. A change in the date of Birth of a Government Servant can be made with the sanction of the Ministry of Urban Development, if-

- (a) a request in this regard is made within 5 years of his entry into the Government Services.
- (b) it is clearly established that genuine bonafied mistake has occurred.
- (c) The date of birth so altered would not make him ineligible to appear any School or University or Public Service Examinations in which he had appeared for entry into the Government Service or the date in which he entered Government Service.
(M.O.H. Affairs letter No. 19017/7/79-Estt. A, dated 30.11.79.)

3.03 Performance Report

Performance report on the work and conduct of work-charged staff in the prescribed form should be written for the calendar year. The reports should be written by the Junior Engineer/ Section Officer (Horticulture) under whom the worker is employed and, reviewed by the Assistant Engineer or Assistant Director of Horticulture and Countersigned by the Divisional Officer. Adverse remarks, if any, together with substance of confidential report should be communicated to the concerned worker in writing by the Divisional Officer. Representations against adverse remarks are to be decided as in the case of Regular Government Servants. The Confidential Reports written in duplicate are to be kept in the Divisional Office in the same manner in the reports of regular staff; and one copy should be sent to the concerned Regional Coordination Office a sample copy of the form is given at **Annexure- IV**.

SECTION-4 –PAY

4.01. Pay.

On initial appointment a worker is to be given the minimum of the scale of pay of the post.

4.02. Fixation of Pay and Grant of Periodical increments.

The pay of the employee on appointment promotion, transfer etc., is to be regulated in accordance with the relevant provisions of the Fundamental Rules, as amended from time to time.

4.03. Fixation of Pay of Work-charged Staff transferred to Regular Establishment and retransferred to Work-charged Establishment

Pay on retransfer to the work-charged establishment should be fixed at the stage which the person would have drawn but his transfer to regular establishment provided that the service rendered on the regular establishment was on identical or higher scale of pay.

The entire service will be treated as continuous and qualifying for purposes of pension/gratuity as applicable to work-charged establishment.

4.04. Fixation of Pay of Employees Transferred from Work-charged Establishment to Regular Establishment or Vice Versa.

The pay on transfer from one establishment to the other should be fixed at the stage which the employees would have drawn but for his transfer, provided that the service rendered in the different establishment prior to transfer was on an identical or higher scale.

SECTION- 5- ALLOWANCES

5.01. House Rent, City Compensatory, Traveling, Children Education Allowance, Joining time, Joining time pay, Leave Travelling Concession and T.A. on Retirement.

The grant of these allowances to the work charged employees is regulated in the same manner as their grant to the employees on the regular establishment.

However, T.A. etc., will not be granted to work-charged staff when they are rendered surplus in one unit of seniority and are absorbed in another unit to save them from retrenchment or where the transfer of an individual is agreed to at his own request.

5.02. Extra Wages for Overtime.

Please refer O.M. No.23/3/97-EC.X dated 19th January, 2004, annexed as **Annexure No.-V**.

Register of overtime wages

Every order to detain labour for overtime work shall be in writing in a proper register prescribed for the purpose and shall specify:-

- i. The number of persons in each category to be employed.
- ii. The maximum time up to which each of the persons should be employed.
- iii. The Authority ordering overtime work will certify that the work is so urgent that employment of labour on overtime, is necessary and that it is not possible to employ labour on shift basis for timely completion of the work.

5.03. Bicycle Allowance.

The work-charged staff who maintain bicycles, and in respect of whom the Executive Engineer concerned certifies that use of bicycle by them enhances their utility to Government, are entitled to bicycle allowance @ Rs.60/ per month. The rate of this allowance will be increased by 25% whenever the Dearness Allowance payable on the revised pay scale goes up by 50%. These orders will be effective from September 01, 2008.

DOPT OM No. 19039/3/2008-E-IV, 29th Aug. 2008

5.04. Tool Maintenance Allowance

A monthly Tool Maintenance Allowance debitable to the work on which the concerned work –charged staff is employed is payable from 01.09.2008 subject to equipping himself at his own cost. The rate of this allowance will be increased by 25% whenever the Dearness Allowance payable on the revised pay scale goes up by 50%. These orders will be effective from September 01, 2008. The essential tools mentioned in Col.4 as given in **Annexure-VI**.

DOPT OM No.19039/2008-E-IV, 29th Aug. 2008.

Tool maintenance allowance shall be payable during regular leave for very short duration but if in any month workman has been on such leave continuously or otherwise for more than 7 days, reduction should be made in respect of the entire period of leave.

[D.G. Memo. No. 3/1/99-EC.X dated May 2000]

SECTION-6- LEAVE & REST

6.01. Earned leave

Leave

The work-charged staff is entitled to the following types of leave:-

Confirmed Employees.

They earn leave in the same manner and to the same extent as permanent employees in regular establishment i.e. per Central Civil Services (Leave) Rules 1972 as amended from time to time.

Temporary Employees

Those employees who have completed one year of service shall be allowed Annual leave at the rate of one day for every 20 days work and to accumulate it upto 60 days to be at par with the entitlement of leave admissible to the individual workers under the Factories Act.1948. This shall be effective 1-1-1971. There is no restriction as to the period of such leave being taken at a time. Leave salary during such period of leave shall be equal to the pay drawn by the worker on the days the leave commences.

(Memo No.19/7/76-EC.X. dated 17th June 1977 read with Memo No. 19/7/76-EC.X, dated 7th November 1979)

Temporary employees will start earning Earned Leave at the rate prescribed above after completion of one year service & the calculation thereof will be based from the date of his joining the service.

Only Divisional Officers are competent to sanction the leave.

(Memo No. 19/7/76-EC.X, dated 27th Feb. 1979)

6.02 Leave on Half Pay on Medical Certificate

Permanent employees enjoy this benefit in the same way as regular Government

servants effective from 1-1-82.

The non-permanent work-charged employees may be granted 20 days leave on half pay for each completed year of service, they will also be entitled to advance credit of half pay leave in two installments of 10 days each on the first day of January and July of every calendar year as per procedure laid down under rule 29 of the Central Civil Service (Leave) Rules. 1972 as amended from time to time. The advance credit will be admissible with effect from 1st January 1986.

(O. M. No. 1201/1/82-Estt.(Leave) dated 8th May 1987 issued vide D.G. (W) O.M. No. 22/5/86-EC-X dated Sept. 1987)

6.03. Hospital Leave

The work-charged staff are entitled to hospital leave in the same manner as other Central Government Servants since 31st March, 1967 as per C.C.S. (Leave) Rules 1972 as amended from time to time.

6.04 (I) Maternity Leave

The female work-charged staffs are entitled to maternity leave in the same manner as regular Government Servant in terms of S.R. 267.

Maternity leave may also be granted in case of miscarriage including abortion, Subject to the condition that the leave does not exceed 6 weeks and the application for leave is supported by a certificate from the Authorized Medical Attendant.

6.04(I)A. Child Care Leave

The females W.C. staff are entitled to child care leave in the same manner as regular Govt. Servant.

DOPT OM.No.13018/2/2008-Estt(L), dated.11-9-2008

A male Govt. servant (including an Apprentice) with less than two surviving children may be granted Paternity Leave for a period of 15 days during the confinement of his wife. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity Leave shall not be debited against the leave account and may be combined with any other kind of leave (as the case of Maternity Leave). It may not normally be refused under any circumstances.

(DOPT OM. No.13018/1/97-Estt.(Leave) dated 7th October 1997)

6.04 (II) Paternity Leave

A male Govt. servant (including an Apprentice) with less than two surviving children may be granted Paternity Leave for a period of 15 days during the confinement of his

wife. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity Leave shall not be debited against the leave account and may be combined with any other kind of leave (as the case of Maternity Leave). It may not normally be refused under any circumstances.

(DOPT OM. No.13018/1/97-Estt.(Leave) dated 7th October 1997)

6.05 Extraordinary Leave

The work-charged staffs are granted extra ordinary leave in accordance with the Central Civil Service Leave Rules. 1972 as modified from time to time. There is no limit to admissibility of extraordinary leave to permanent work-charged staff except that such leave taken alone or in combination with any kind of leave should not exceed 5 years at any time. If a permanent work- charged worker does not resume duty after remaining on leave for a continuous period of 5 years or where he, after the expiry of his leave remained absent from duty. otherwise than on foreign service or on account of suspension for any period which together with the period of leave granted to him exceeds 5 years, he shall, unless the competent authority in view of the exceptional circumstances of the case otherwise determine, be removed from service after following the disciplinary procedure.

On the central Civil Services (leave) Rules 1972 for Rule.12, the following rule shall be substituted namely:-

12(1) No Govt. Servant shall be granted leave of any kind for a continuous period exceeding five years.

(2) Unless the president in view of the exceptional circumstances of the leave, otherwise determine a Govt. servant who remains absent from duty for a continuous period exceeding 5 years other than on Foreign with or without leave shall be deemed to have resigned from the Govt. Service.

Provided that a reasonable opportunity to explain the reasons for such absence shall be given to that Government servant before provisions of sub-rule (2) are invoked.

DOPT OM.No.13026/2/2010-Estt(L), dated 29-3-2012

The non-permanent work charged employees are granted extraordinary leave like temporary regular Government servant under Rule 14 of the C.C.S. Leave Rules.1972 amended from time to time. In these cases, the duration of extraordinary leave on any one occasion shall not exceed the following limits:-

- (i) Three months.
- (ii) Six months, in case where the employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the

rules (including three months extraordinary leave) under (i) above and his request for such leave is supported by a medical certificate as required under the rule:

- (iii) Eighteen months where the employee has been in continuous service for a period exceeding one year and is undergoing treatment for :-
 - 1. Pulmonary Tuberculosis in a recognized sanatorium, or
 - 2. Tuberculosis of any other part of the body certified by a qualified Tuber Specialist or a Civil Surgeon. or
 - 3. Leprosy in a recognized Leprosy Institution or by a Civil Surgeon or a Specialist in Leprosy Institute recognized as such by the State Admn. Medical Officer concerned.

The concession of extraordinary leave upto eighteen months will be admissible also to an employee suffering from pulmonary tuberculosis who receives treatment at his residence under a Tuberculosis Specialist recognized and produces a certificate signed by that Specialist to the effect that he was under treatment and that he has restorable chance of recovery on the expiry of the leave recommended.

Where a non-permanent work-charged worker fails to resume duty on the expiry of the maxi-mum period of extraordinary leave granted to him or where such a worker who is granted a lesser amount of extraordinary leave than the maximum amount admissible remains absent from duty for any period which together with the extraordinary leave granted exceeds, the limit upto which he could have been granted such leave shall unless the competent authority in view of the exceptional circumstances of the case otherwise determines, be removed from the service after following the disciplinary procedure.

6.06. Casual Leave

Work-charged staff is entitled to get 8 days Casual leave in a year which they can avail of upto 6 days at a time.

6.07. Leave on full pay during the period of disablement resulting from an accident covered under Workmen's Compensation Act.

A worker can avail of his earned leave on full pay to which he is entitled under the rules for the period of his disablement and in addition receive compensation under the Workmen's compensation Act.1923.

6.08. Special Casual Leave.

The Director General is the competent authority to sanction special casual leave upto 20 days in a year to delegates of recognized Unions attending Annual or All India Conference of a Union.

(Min. of W& H Memo No. 12/72-WCS I dated 13th March, 1973.)

The following orders for grant of Special Casual Leave to regular employees on the events specified have been made applicable to the Work-charged staff.

- (i) Ministry of Home Affairs O.M. No. 25/1/49-Estt. Dated 10-1-49. No. 25/28/50-Estt. Dated 2-7-70 regarding grant of special casual leave for training and duty of all members of officially sponsored auxiliary police organization such as National Volunteer Corps etc.
- (ii) Ministry of Home Affairs O.M. No. 25/21/49-Estt. Dated 31-5-49. (para-3) regarding grant of special casual leave for training as a member of St. John Ambulance Brigade (at the extent not covered by Ordinary Casual Leave due.).
- (iii) Ministry of Home Affairs O.M. No. 25/19/49-Estt. Dated 7-7-50.(para-3) regarding grant of special causal leave for interview/ medical examination etc. in connection with joining Territorial Army/Auxiliary/ Air Force/Air Defence Reserve in cases where it is not possible for Government Servant to attend to his duties after interview/medical examination.
- (iv) Ministry of Home Affairs O.M. No. 46/7/50-Estt. Dated 5-4-54 [Para 2& 3 (i)] regarding grant of special casual leave for participating in a sporting event of National or International Importance when selected by a National Sports Federation/Association recognized by All India Council of Sports and approved by the Ministry of Education or where such events are held on inter-state inter-zonal, inter-circle basis as a nominated representative on behalf of the State/Zone/Circle (subject to a maximum of 30 days.)
- (v) Ministry of Home Affairs O.M. No. 46/10/57-Estt. (A) dated 28-5-59 regarding grant of special casual leave for attending coaching or training camps for the schemes sponsored by the Government provided that the applicant is selected/ sponsored by any of the approved organization mentioned in (iv) above.
- (vi) Ministry of Home Affairs O.M. No. 46/20/54-Estt. (A) dated 16-6-58 and 14-11-58 regarding grant of special casual leave for participating in inter-ministerial or inter-departmental sporting events duly recognized by the Government provided that :--
 - (a) Both the events and the participants are sponsored by the Central Secretariat Staff Welfare and Amenities Committee or other recognized sports Recreation Clubs of Government Employees and
 - (b) The participants have been specifically selected by the Government to participate in such events (Admissible upto maximum 10 days). Those participating in the sporting event of the types mentioned both in (iv) and (v) above will not however be allowed special casual leave in excess of 30 days.

(ii) Ministry of Home Affairs. O.M. No. 46/9/55-Estt. (A) dated 27-10-55 regarding grant of special casual leave for participants in Republic Day Parades and Rehearsal.

(viii) Ministry of Home Affairs O.M. No.46/11/56-Estt. (A) dated. 8-10-56 and 30-1-59 regarding grant of special casual leave for donating blood to recognized Blood Bank.

(ix) Ministry of Home Affairs O.M. No.46/5/58-Estt. (A-I) dated. 20-6-58 regarding grant of special casual leave for participant in Republic Day parade by member of Lok Sahayak Sena who have won Certificate of merit for the period of stay not exceeding 14 days plus minimum period required for journey from the Headquarters to Delhi and Back.

(x) Ministry of Home Affairs O.M. No.46/3/50-Estt. (A) dated. 6-10-59, No. 46/3/59-Estt. dated 25-8-60. regarding grant of special casual leave for non-puerperal sterilization under Family Planning Scheme' in respect of Woman employees. (for period not exceeding 14 days.)

(xi) Ministry of Home Affairs O.M. No.2/7/68-DGCD (CD) dated 29-10-68. Regarding grant of special casual leave to work charge staff that are require to perform Civil Defence duties etc.

(2) Chief Engineer as head of the Department is competent to sanction special casual leave for the above events to the work-charged staff as in the case of regular staff.

6.09 Leave not due

Permanent work-charged staff of CPWD may be granted Leave Not Due subject to the condition in this regard as prescribed in the CCS (Leave Rules 1972) as amended from time to time. These orders are effective from 3-8-83.

(O.M. No. 19/5/81-EC.X dated 3rd August 1983)

(O.M. No. 19/5/81-EC.X dated 17th October 1983)

All kinds of leave other than casual leave and special casual leave admissible to work-charge staff can be granted in combination with or in continuation of any other kind of leave.

6.10. Combination of Leave.

All kinds of leave other than casual leave and special casual leave admissible to work-charge staff can be granted in combination with or in continuation of any other kind of leave.

6.11. Prefixing and suffixing of Holidays to Leave

Sunday and holiday can be prefixed and suffixed to all kinds of leave subject to provisions of CCS (Leave) Rules. 1972.

SECTION-7- DUTY HOURS AND HOLIDAYS

7.01 Duty Hours

The normal working hours of the work-charged staff except Chowkidars, MLDs, Plumbers, Sewerman, Wireman, Electrician & Operators on Work Charged establishment shall be from 9:00 A.M. to 5:00 P.M. with one hours rest between 1:00 to 2:00 P.M.

7.02. Holidays

The work charge staff shall be allowed 3 National Holidays on 26 January, 15 August and 2nd October and thirteen effective Public Holidays. Neither restricted Holiday nor second Saturday of every month, which is a closed holiday for the staff on regular establishment shall be allowed to the work charged staff.

A list of Public Holidays permissible to work charge staff of Delhi/ New Delhi and for W. C. Staff outside Delhi/New Delhi is issued every year by D.G.

[D.G. Memo No.23/16/80-EC.X dated 8th September 1980]

In case where the normal weekly off of a W.C. Employees is other than Sunday which also happens to be a Public Holiday, the employees in question may be allowed to avail of Public Holiday on that particular day and a compensatory weekly off may be allowed to him/them on some other day of the week subject to the condition that the total number of Public Holidays enjoyed by the said workers during the year should not exceed the maximum ceiling of 13 effective Public Holidays and three National Holidays.

The Holidays declared on special occasion (other than those on the death of political personalities etc.) during the course of year in respect of industrial employees will be applicable to work charge establishment of CPWD.

(O.M. No.14/6/78-EC.X dated 26th August, 1981.)

7.03. Closing of work-charged establishment Consequent on Death of a High Dignitary.

Work-charged establishment of CPWD will not be closed on the death on any high dignitary except that on the death of the President and such establishment

will remain closed on the day of the funeral and at the place where the funeral takes place also.

SECTION-8- EVENTS IN CAREER

8.01. Confirmation

(a) General

- (i) Confirmation will be made only once in the service of an official which will be in the entry grade.
- (ii) Confirmation is delinked from the availability of permanent vacancy in the grade. In other words, an officer who has successfully completed the probation may be considered for confirmation.

(b) Confirmation in the Grade to which Initially Recruited

- (i) As at present, the appointee should satisfactorily complete the probation
- (ii) The case will be placed before the DPC (for confirmation)
- (iii) A specific order of confirmation will be issued when the case is cleared from all angles.

(O.M. No. 29/1/88-EC-X dated 5-7-89)

Note: (i) The revised procedure relating to confirmation outlined above will not apply to the cases of appointments made on ad-hoc basis i.e. it is only the appointments made on regular basis which will come within the purview of the above instructions.

- (ii) Since all the persons who complete probation in the first appointment will be declared as permanent, the distinction between permanent and temporary employees for grant of pension and other pensionary benefits will cease to exist.

(c) On promotion

- (i) If the recruitment rules do not prescribe any probation, a worker promoted on regular basis (after following the prescribed DPC etc. procedure) will have all the benefits that a person confirmed in that grade would have.

- (ii) Where probation is prescribed, the appointing authority will on completion of the prescribed period of probation assess the work and conduct of the worker himself and in case the conclusion is that the worker is fit to hold the higher grade. He will pass an order declaring that the person concerned has successfully completed the probation. If, the appointing authority considers that the work of the worker has not been satisfactory or needs to be watched for some more time, he may revert him to the post of grade from which he was promoted or extend the period of probation as the case may be.

Since there will be no confirmation on promotion before a worker is declared to have completed the probation satisfactorily a rigorous screening of his performance should be made and there should be no hesitation to revert a person to the post or grade from which he was promoted if the work of the worker during probation has not been satisfactory.

8.02 CSS (Temporary Service) Rules.

- (i) As no officer otherwise eligible will have to wait for confirmation pending availability of a permanent vacancy the need for following the existing procedure for declaring a person quasi-permanent ceases to exist. Accordingly, the provisions relating to the quasi-permanency in the CSS (Temporary Service) Rules will be deleted.
- (ii) As there will still be situation where appointments are made against posts/establishments which are created for definite and purely temporary periods e.g. Committees/Commission of Enquiry organizations created for meeting a particular emergency which is not expected to last for more than a few years, posts created for projects for specified periods, the remaining provisions of the Temporary Service Rules will continue to be in force.

8.03 Lien

The concept of lien as the title of a Government servant to hold substantively a permanent post will undergo a change. Lien will now represent only the right/ title of a Government servant to hold a regular post. Whether permanent or temporary either immediately or on the termination of the periods of absence. The benefits of having a lien in a grade will thus be enjoyed by all workers who are confirmed in the grade of entry or who have been promoted to higher post declared as having completed the probation where it is prescribed or those who have been promoted on regular basis to a higher post where no probation is prescribed under the Rules

as the case may be. The above right/title will, however, be subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if at any time the number of persons so entitled is more than the post available in the grade. For example if a person who is confirmed or whose probation in a higher post has been declared as having been completed or one who is holding a higher post for which there is no probation on a regular basis, reverts from deputation or foreign service and if there is no vacancy in that grade to accommodate him the junior most person will be reverted. If, however, this worker himself is the junior most, he will be reverted to the next lower grade from which he was earlier promoted.

8.04 Seniority for promotion

Seniority of Work-charge staff for purposes of promotion shall be reckoned in accordance with the seniority rules for purposes of promotion and retrenchment and other instruction issued from time to time.

The Seniority in a particular category shall be reckoned from the date of continuous service in that category. Service in a higher category in an officiating capacity will count for seniority in the lower category. Service in an equivalent category with identical scales of pay will also count for seniority. If there be broken spell of service in a higher category only the last spell of continuous service in the higher category will count for seniority in that category.

If there is more than one source of recruitment viz.. direct recruitment, promotion, transfer etc. the seniority is determined by roster points as explained in Ministry of Home Affairs O.M. No. 22011/5/76-Estt. (D) dated 24-06-78. which merely states that source of recruitment with which a new roster should start. If there is only one source of recruitment viz. Promotion, the seniority of appointees should be governed by the order in which the DPC have recommended persons for appointment to higher posts.

(DG Memo No. 37/18/78 EC.X. dated 22nd January 1979)

8.05 Temporary Establishment

Sometimes Establishments are created for a specific objective for a limited period as in the case of Committees or Commissions to study or investigate a specific problem. Normally posts in such Establishments are filled by deputation or contract basis, which would not result in regular incumbency. Even in a few cases,

where regular appointments are made by framing the recruitment rules, appointments are made according those rules, these instruction about confirmation would not apply. In other words, persons appointed against the posts in purely temporary organizations are outside the purview of the revised procedure outlined in this Office Memorandum.

These instructions will come into force with effect from 1st April 1988.

[Ministry of Personnel O.M. No. 18011/1/86-Estt(D).dt. 28th March 1989.
Ministry of Urban Development No. 12014/1/89-EW-2 dated 16-06-1989
circulated vide DG No. 29/1/88 EC-X dated 5.7.89

SECTION-9- PROMOTION

9.01 Promotion

The Channel of promotion, percentage of posts to be filled by promotion, qualification and/or trade tests prescribed and the method of promotion etc. are prescribed in the relevant recruitment rules. Promotion will be unit-wise and the units are defined in Para 2.03

9.02 Departmental Promotion Committee

Promotion of the work-charged establishment will be made by Department Promotion Committee which shall be composed as follows:-

- (i) Superintending Engineer/ Director of Horticulture
- (ii) Senior-most Executive Engineer/Dy. Director of Horticulture at the Headquarter of the Circle
- (iii) Any other Executive Engineer/ Dy. Director of Horticulture.

9.03 Cases of all eligible persons to be placed before DPC

Cases of all persons eligible for promotion to higher posts in order of seniority should be placed by the appointing authority before the DPC. No case shall be withheld by any authority from consideration by the DPC. Before processing the case for DPC, VCC should take in respect of all eligible employees.

9.04 Seniority for Promotion

Seniority of work-charged staff for the purpose of promotion shall be reckoned in accordance with the seniority rules for purposes of promotion and retrenchment and other instructions issued from time to time.

The Seniority in a particular category shall be reckoned from the date of continuous service in that category. Service in a higher category in an officiating capacity will count for seniority in the lower category. Service in an equivalent category with identical scales of pay will also count for seniority. If there be broken spell of service in a higher category only the last spell of continuous service in the higher category will count for seniority in that category.

If there is more than one source of recruitment viz.. direct recruitment, promotion, transfer etc.. the seniority is determined by roster points as explained in the Ministry of Home Affairs O.M. No. 2210/5/76-Estt.(D). dated 24-6-1978, which merely states that sources of recruitment with which a new roster should start. If there is only one source of recruitment viz.. promotion the seniority of appointees should be governed by the order in which the DPC have recommended persons for appointment to higher posts.

(DG Memo No. 37/18/778-EC.X dated 22nd January, 1979)

9.05. Other relevant instruction governing seniority for purposes of promotion & retrenchment

- (i.) Transfer with T&P Articles:** The transfer of work-charged staff along with the T&P articles from one unit of seniority to another will be governed as per Para 9.02 and the transfer shall be considered permanent and in public interest.
- (ii.) Transfer from State PWDs with Work:** The previous service of work – charged staff of state PWDs taken over by the CPWD along with the maintenance of Central Government buildings shall count for purpose of retrenchment and confirmation on the work charged establishment of CPWD.
- (iii.) Transfer in public interest from Regular Establishment to Work-charged Establishment and vice versa:** The service rendered by an employee in an establishment prior to his transfer to other establishment will count for seniority but as a result thereof he will not be entitled to confirmation or promotion with retrospective effect.
- (iv.) Employees transferred to regular establishment and re-transferred to the work-charged establishment:** Such of the work-charged staff as were transferred to the work-charged establishment may be permitted to count the service rendered on the regular establishment for seniority but as a result of

this re-fixation, the persons concerned will not be entitled to confirmation or promotion with retrospective effect

9.06. Trade Tests

A Trade Test Committee of two Executive Engineers and one Assistant Engineer (Civil or Electrical) depending upon the category of posts to be filled in, can be constituted. The EEs and the AE will be selected from the State in which the vacancies are required to be filled up. There will be no permanent constitution of such committees and these committees will be constituted whenever a particular category of vacancy is required to be filled in. The Trade Test Committee will be constituted directly either by the Regional Coordination Office or by the SE concerned, after getting authorization from the Regional Coordination Office to constitute such a Committee. The Chairman of the Committee will submit the result of the Trade Test directly to Regional Coordination Office and the result of the Test will be declared by him.

DG Memo No. 15/1/99-EC.X dated 24th March, 2000)

No promotion except to the category of Foreman (Elect) is to be made without trade test. For purpose of counting of the prescribed period of experience, even broken period of service can be taken into account. The minimum qualifying marks for trade test shall be 50 percent.

For purpose of trade test, apart from putting question to the candidates both on theory and practice, a practical test should invariably be given to the candidate in which he may be asked to rectify a fault or remove defects from any apparatus or appliance or to give practical demonstration of any work as laid down in Recruitment Rules such as in Carpentry, Masonry etc. In the first instance, the candidates should be given an oral test and only those who qualify by obtaining the minimum of 40 percent marks may be allowed to sit in the practical test. Those who fail in the oral test or later on in the practical test on account of their failure to obtain 50 percent marks shall disqualify themselves for consideration by DPC.

(DG, OM No. 30/27/73-WCS-II/EC.X dated 02.07.1976)

9.07 Declaration and Exhibition of the Result of Trade Test

The result of the trade test held for promotion to higher posts on the work-charged establishment should be announced as quickly as possible but not later than the month after such tests are held. Further, a copy of the result of the trade test

should be put up on the notice board of the Divisional Offices as well as in the Enquiry Offices under the particular unit of seniority so as to give it wide publicity. A copy thereof should be simultaneously endorsed to all recognised Unions in the CPWD. The trade test must be held every year of all who become eligible and it should not be deferred till the time promotion becomes due. This will enable those who do not pass the trade test to make special efforts and pass it in time well before they are considered for promotion.

9.08. Qualified Employees not to be trade tested again for same post

Once a work-charged employee has qualified in the trade test held for promotion to a particular post, he should not be subjected to a trade test again for promotion to the same post. Such employees should be considered by the relevant DPC for promotion at the appropriate time in the light of his confidential reports only and with regard to seniority.

9.09 Career Progression Scheme in respect of Work-charged Staff

The work-charged staff are entitled to get the benefits of three financial up gradations under the Modified Assured Career Progression Scheme introduced by the DOPT vide OM No. 35034/3/2008-Estt. (D) dated 19.05.2009 at intervals of 10,20 & 30 years of continuous regular service in the immediate next higher grade pay in the CCS (Revised Pay) Rules, 2008 (MACPS) w.e.f. 01.09.2008 or after completion of 10/20/30 years of continuous regular service whichever is later

9.10 Grant of Selection Grade to skilled categories of Work Charged staff and effect of ACP/MACP thereon

Consequent upon order dated 25.09.2008 of Hon'ble Delhi High Court, in CM application No. 99/2001 in Case No. 295/1993 in WP (C) No. 2792/1988 selection grade is to be granted to the skilled categories of Work Charged Staff of CPWD/ PWD after completion of eight years of regular service in skilled category after 01.01.1973 w.e.f. 01.01.1981 in the pay scale of Rs. 330-480 (3rd CPC); 1200-1800 (4th CPC) and 4000-6000 (5th CPC).

(Ref: Director General OM No. 19/117/2001-EC-X dated 09.06.2011)

As selection grade is to be treated as one promotion/ upgradation for the purpose of grant of ACP/MACP, 2nd MACP may be granted to Direct Recruit workers on completion of 18 years of service (8+10) and 3rd MACP after 28 years (8+10+10) (Ref: Director General OM No. 08/1/2012-EC-X dated 12.07.2012)

SECTION-10-TRANSFERS OF WORK-CHARGED STAFF

10.01 Transfer within CPWD

Except rotational transfer (Para 12.01, 12.02), no transfer of work-charged employee shall be made from one unit to another except in the following circumstances:-

- (i) Transfer of work from one unit to another. Such transfers shall be considered as permanent transfers and employee transferred in such cases shall take their position in the respective seniority list of the new unit after taking into account their past continuous service which counted for seniority in that category in the old unit.
- (ii) Temporary transfer of an employee from one unit to another in public interest i.e. when the transfer has been made for a short period but has not been made in connection with the transfer work. Such transfers shall be considered purely temporary and the seniority of the employees shall be maintained in the parent unit.
- (iii) No transfer of an employee on his own request shall be made except in very special circumstances with the approval of the Regional SDG and in charge of the place where the employee is being transferred in the new unit. Such an employee will not be given benefit of past service in the new unit for the purpose of seniority. He will however count his past service for pensionary or terminal benefits, carry forward of leave etc.
- (iv) Transfers made when employees are declared surplus in one unit of seniority and absorbed in another unit to save them from retrenchment. Normally the junior most employees in a unit are rendered surplus and their absorption in another unit in the same or another equivalent category term from retrenchment. If such an employee is already permanent he will retain his seniority among permanent employees of his category. If an employee is temporary his past service will not count for seniority in the new unit but he will be placed at the bottom of the list of the temporary employees of his category for this purpose, as the transfer is ordered in the individual's own interest. He will however, count his past service for pensionary or terminal benefits.
- (v) It has been decided with the approval of DG, CPWD to delegate the powers to transfer a worker from one unit within the same Coordination to the concerned Regional Coordination Office. These powers, will however, be exercised subject to the conditions as laid down in Para 11.01 (iii). However powers to transfer workers from one Coordination Zone to

another Coordination Zone within the region shall continue to rest with the SDG (Region).

10.01(A) Inter-regional Transfer

For transfer from one region to other region, the employees have to give an undertaking that they will forego seniority and will not claim TA/DA/ Joining Time in respect of journey to be performed by them. The pay during the period of journey for taking up the new posting in respective regions, unless the same is covered by leave due to them and granted by the competent authority cannot be claimed by the employees seeking inter-regional transfer.

(DG, CPWD, OM No. 28/1/A/ 2011-EC-V dated 19.06.2012)

10.01(B)The employees recruited under Special Recruitment Drive for SC/ST/normal recruitment is required to serve for minimum period of five years in the region where they have been recruited before their request for inter-regional transfer can be forwarded to Directorate for consideration.

(DG, CPWD, OM No. 28/1/A/ 2011-EC-V dated 19.06.2012)

10.01(C)DG, CPWD, in exigencies of work, in public interest or on compassionate ground, may relax the minimum period of stay in the region.

(DG, CPWD, OM No. 28/1/A/ 2011-EC-V dated 19.06.2012)

10.02 Transfer of staff from one trade to another

The work-charged staff shall not be transferred from one category of post to another when no promotion is involved as any such transfer is a new employment and has to be regulated and controlled accordingly.

10.03 Transfer of work outside the CPWD

The following procedure should be adopted in respect of the work-charged staff consequent on the transfer of work from the CPWD to other agencies:-

- a) A decision to transfer any work out of the CPWD shall be taken not below the level of the Director General of Works.
- b) A period of at least three months should be allowed between the decisions and actual transfer of the work.

- c) The junior-most work-charged staff rendered surplus in the unit, if any, should be served with one month's (14 days in the case of those with less than one years' service) notice of retrenchment. Retrench-compensations admissible on the basis of their service shall also be paid to them before the date of retrenchment.

The employees who are offered employment by the new agency but do not accept such employment will be treated as retrenched employees of the CPWD for the purpose of registration with Employment Exchange for reemployment in CPWD.

Provision of Section 25-F of the Industrial Disputes Act. 1947 shall be strictly followed in such cases.

10.04 Transfer of work-charged staff to regular Establishment or Vice-versa

No member of the work-charged staff shall be transferred to the regular establishment or vice-versa except with the prior approval of the Government of India or on promotion in accordance with the provisions of the recruitment rules.

10.05 Transfer of work-charged staff on deputation

No member of work-charged establishment can be transferred on deputation within India to any outside agency i.e. Government, Semi-government or non-government without the specific approval of the Director General and for deputation outside India without the specific approval of the Government.

SECTION -11- ROTATIONAL TRANSFER OF WORK-CHARGED STAFF

11.01 Work-charged Staff posted in Delhi

1. The work-charged staff may be rotated within their circle/Division under order of SE/EE concerned, if it is administratively necessary or desirable to do so. Delhi being one unit of seniority, transfer of work-charged staff from one Circle to another in Delhi could be done by the Regional Coordination Office.
2. It is reiterated that the work-charged staff in different units should be periodically rotated from one work place/area to other under the above provisions and in any case such staff should not be continued at one work place/area for more than 10 years. The Orders for such transfer within the Division can be issued by the concerned Executive Engineer and from one Division to another Division within the Circle by the concerned Superintending Engineer. If such Rotation Transfer is

not possible within the Circle in Delhi/Kolkata/Mumbai/Chennai, transfer from one Circle to another can be done by the Regional Coordination Office.

3. The work-charged staffs posted outside Delhi, who have completed 10 years service at the same place /area are required to be rotated.

It is clarified that these orders are NOT applicable to daily-rated workers engaged by the various field units of the CPWD.

11.02 Work-charged staff posted outside Delhi

The work-charged staff who have completed ten years at one place of work may be rotated within their unit of seniority under orders of the Executive Engineer/Superintending Engineer where it involves transfer from one Division to another to the extent it is possible and administratively desirable. However, as far as possible unskilled worker should not be transferred outside the station except to save them from retrenchment.

SECTION-12- FACILITIES

12. Advances

The work-charged staff can be sanctioned advance mentioned below subject to the condition; (i) that temporary workers applying for advance shall be required to submit surety of permanent Central Government employees of equivalent or higher status, and (ii) any other conditions which may be prescribed or laid down in the relevant orders against each.

12.01 Cycle Advance

The Executive Engineers under Rule 15(3) and 31 of the GFRs 2009 Edition can sanction cycle advance to Work-charged staff both permanent and temporary.

12.02 Advance of T.A. on Transfer or Retirement

Advance of T.A. to the Work-charged staff of CPWD on transfer and advance of T.A. to a retiring employee and his family and, to the family of employee who dies in service for returning to his/their home town can be sanctioned by the Executive Engineer in the same manner as for regular employees.

In the case of retiring employees, the competent authority may sanction advance of T.A. in case of journey performed during leave preparatory to retirement but not in case of journeys performed after retirement.

12.03 Festival Advance

The orders as applicable to the staff on the regular establishment are also applicable to the work-charged establishment and the Head of Office is competent to sanction it.

12.04 Leave Salary Advance

Orders regarding payment of advance of leave salary, equal to the net amount of leave salary for the first month, after deduction of Income Tax, G.P/WCP Fund etc. apply also to the work-charged establishment subject to the same conditions as are applicable to the employees in the regular establishment.

12.05 Warm Clothing Advance to work-charged staff sanctioned at Hill Stations

Advance can be sanctioned on the analogy of orders contained in Rule 33 of GFR 2005. The Head of Office is the competent authority to sanction it.

12.06 House Building Advance

Same as applicable to all Central Government employees.

12.07 Computer Advance(New)

As per Rule a person whose Pay in Pay Band is Rs. 8560 is eligible for the grant of an advance not exceeding Rs. 30,000/- the anticipated price of the computer whichever is less – Rule 21(5) and OM dated 12/12/2008.

12.08 Motorcycle/ Scooter Advance(New)

Eligibility: Officials drawing Pay in Pay Band of Rs. 8560/- or more. This may be relaxed by the sanctioning authority in deserving cases – Rule 17(iv) and GID. Official drawing Pay in the Pay Band less than Rs. 8560/- are eligible for an advance of Rs. 20,000/- or anticipated price whichever is less.

SECTION-13- ACCOMMODATION

13.01 Accommodation

Work-charged staff is eligible for allotment for residential accommodation from the General Pool under the Directorate of Estates, like the staff on the regular establishment. Their applications for allotment of accommodation should be forwarded to the Directorate of Estates, along with others, whenever called for.

SECTION-14- MEDICAL FACILITIES

14.01 Medical Facilities

The work-charged staffs is entitled to medical facilities like the regular staff i.e. medical aid facilities under C.G.H.S. Scheme if they are employed in cities wherein the Scheme operates and under the Central Services (Medical Attendance) Rules, if employed in cities wherein the C.G.H.S. Scheme does not operate. The benefits of CGHS accrue from the date on which the work charged staff applies for a CGHS Card. CGHS is a compulsory scheme for all work charged staff residing within the areas covered by CGHS. As soon as a worker joins central government service and intimates his residential address which is within a CGHS covered area, CGHS contribution shall be recovered whether CGHS Card is issued or not.

SECTION-15- LIVERIES AND WASHING ALLOWNCES ETC.

15.01. Criterion of entitlement and categories of employees

The criteria for issue of uniforms to work-charged staff is that they will be supplied to those employees whose duties involve damage to clothing or abnormal wear and tear of clothing or the worker has to work near moving machinery.

15.02. Classification of stations for supply of uniform

The classification of the various stations into “all Summer Stations”, “All Winter Stations” as given in Annexure I to the Ministry of Home Affairs O.M. No. 5/4/58-Pub. II, dated 27-02-1962 shall be adopted in regard to the supply of

uniforms to the work-charged staff of the CPWD. The list of all summer and all winter stations et. is reproduced below:-

All Summer Stations : Chennai, Hyderabad. Mumbai, Trivandrum, Coimbatore, Agartala. Nasik, Vijayawada, Sikanderabad,, Sholapur, Amravati, Kurnool, Bangalore, Mysore, Bhubaneshwar, Kolkata, Nagpur.

All Winter Stations : Shimla, Mussorie, Srinagar,

Both Summer and Winter Stations : Delhi Rajkot, Kapurthala, Jaipur, Allahabad, Ahmedabad, Balurghat, Dehradun, Lucknow, Meerut, Aligarh, Agra, Kanpur, Gaya, Kirkee, Mathura, Jhansi, Amritsar, Jallandhar, Ludhiana, Chandigarh, Ambala, Pathankot, Karnal, Ganguwal, Ranchi, Patna, Baroda, Bhopal, Nainital, Guwahati, Patna, Baroda, Bhopal, Jammu, Jamshedpur, Dimapur, Bhusawal, Ajmer, Jodhpur, Kota, Landsdowne, Shahjahanpur, Indore, Bareilly, Rampur, Solan, Kasauli, Patiala, Shillong, Faridabad, Ghaziabad, Pune, Siliguri, Varanasi.

15.03. Woolen uniform to work-charged staff under Chennai Central Circle

Woolen uniforms are not to be supplied to the work-charged staff under, Chennai Circle.

15.04. Uniforms

The Work Charged Staff, including female, are entitled for supply of uniforms/ requirement/ type of cloth (woolen/ summer and Pant/ Bush-shirt/ Sarees/ Blouses/ Petticoats), stitching, washing allowances and supply of shoes/ chappals/ turbans, etc. to the same extent as permanent employees in regular establishment in accordance with the 'Handbook on Liveries' and instructions issued by the Department of Personnel and Training from time to time.

Consequent to the coming into force of the new 'General Financial Rules, 2005', the existing 'procedure for procurement/ purchase of summer/ winter uniforms' for common categories of Group 'C' and 'D' employees serving in various Ministries/ Departments of the Central Government would be reviewed and modified so as to bring it in line with the provisions of the revised GFRs. The Ministry of Finance (Department of Expenditure) vide their OM No. 1/12/E.II(A)/ 94 dated 29.07.2005 has clarified that the special dispensation from the process of inviting tenders/ quotations provided to NCCF/ Kendriya Bhandar in DOPT Welfare Divisions OM dated 14.07.1981 and 11.04.1994 under Chapter 8 of the

old GFR no longer holds good and that purchase/ procurement of goods by Government of India offices will now be solely guided by the provisions of GFR,2005.

In supersession of the extant instructions on procurement of summer/ winter uniforms relating to Group 'C' and 'D' (now Group 'C' employees in the Central Secretariat Ministries/ Departments and its attached and subordinate offices, the purchase procedure to be followed in different exigencies and the relevant rules in the GFRs as outlined in Department of Personnel & Training OM No. 14/7/2003-JCA dated 21.11.2005.

15.05. Supply of uniform well before expiry of seasons

Ministries and Departments should make every possible effort to supply the various articles of uniform at the commencement of season for which they are intended. Ordinarily, summer and winter seasons are reckoned to commence on the 1st April and 1st October respectively. The Ministries etc. can, however, use their discretion in deciding the dates from which the two season should be deemed to commence, but once the dates are fixed they should not be altered from year to year. In no case should uniforms be supplied after the expiry of the seasons for which they are intended. The life of uniform should be reckoned on a seasonal basis.

(O.M. No. 23/9/70-JCA. dated 4-12-1972)

Action for procurement of uniform should be planned well in advance so as to ensure that uniform are issued to the workers well in time for use in the relevant season. Summer uniform may be supplied to them in the month of April and Winter uniform may be supplied in the month of October, as per scales/specifications laid down.

(DG(W) O. M. No. 20/1/88-EC.X. dated 13.-5-1988)

15.06. Stitching of uniform

The common categories of Group "C" and 'D' staff eligible for supply of uniform may be given the required cloth (summer and winter) to enable them to have the uniform stitched as per the laid down pattern.

(O.M. No. 14/8/86-JCA. dated 9-3-1988)

It may please be noted that the reimbursement of stitching charges at the prescribed rates **(O.M. No. 19/1/2010-JCA 02 Dt. 18.04.2011)** should be done only after the stitched uniform are produced which are duly stamped with an indelible ink at the appropriate place on the wrong side of the stitched dress for identification. A proper record and procedure should be evolved to ensure that the employees produce the stitched uniforms within a reasonable period (say 2 months) after the cloth was supplied to them.

15.07. Proper use-cleanliness and maintenance of uniform

The employees provided with uniforms are required to turn out in proper and clean uniform. Non wearing of proper uniforms will not only attract disciplinary action but further supply of uniforms is to be discontinued if the employee found to be attending to his duties without wearing regularly.

(O.M. No. 19/4/88-JCA. dated 13-9-1989)

In order to ensure compliance by individual employee, the desirability of introducing a system of parade for these employees may be considered and for this purpose an officer of appropriate level may be designated as Inspecting Officer for parade and cases of delinquencies may be suitably dealt with by the Ministries/ Department/Offices.

(O.M. No. 14/26/76-JCA. dated 2-8-1976)

15.08. Washing allowances

All the W.C. staff eligible for supply of uniform are entitled for washing allowance as per VIth Central Pay Commission recommendation, M/o Finance Order No. 14/3/2008-JC dt. 29.08.2008.

15.09 Special shoes for orthopedically handicapped employees

As per agreement with the staff representatives of the National Council (JCM) the Orthopedically Handicapped employees can be supplied special type of shoes (in lieu of the normal shoes/chappals) based on the medical certificates from the competent authority.

(O.M. No. 14/8/86-JCA. dated 22-1-1987)

15.10. Cap discontinued

As a result of agreement with the Staff Side of the National Council, orders was issued vide O.M. NO. 14/12/86-JCA. dated 17-1-1987 to discontinue Cap as a part of uniform for common categories of Group 'C' and 'D' employees. However, there should be no change in respect of supply and entitlement of turbans to such employees and to non-sikh employees as are habitually accustomed to wear turban. The Staff Car Drivers would continue to be supplied peak-caps.

(DG letter No. 20/5/85-EC.X. dated 15-2-1989)

15.11. Surrender, withdrawal recovery and re-issue of uniforms

The supply of uniform is subject to the condition that these cannot be claimed as a right and that the uniform do not become the personal property of the employee, In the event of discharge, promotion or resignation of an employee, all items of uniform should be withdrawn from him or proportionate cost thereof recovered. Similar action should be taken in the case of employees who are retired compulsorily as a result of disciplinary proceedings. All items of uniform should be withdrawn from Group 'C' employees who are under suspension. Uniform may again be supplied to them if and when they are reinstated in service, and the period of suspension should be excluded in determining the date of entitlement or next issue. When a Group 'C' and /or Group 'D' employee is transferred to another Ministry/Department/Office should send a full account of items of uniform supplied to the employee concerned when the items are due to him next.

(O.M. No. 23/9/70-JCA. dated 4-12-1971)

15.12. In the case of employees retiring on superannuation pension :-

(a) Summer uniforms

- i) No uniform be issued to Group 'C' and 'D' employees, who are due to retire within three months from the date they become eligible for the issue of uniform.
- ii) One set of uniform may be issued to such of those employees who are due to retire within one year (Not less than 3 months from the date they become eligible for the issue of uniform (Case N. 14/7/90-JCA).
- iii) Complete set of uniform may be issued to such of those employees who are due to retire after one year from the date they become eligible for the issue of uniform.

(b) Winter uniforms

No item of winter uniform may be supplied unless it could be used by the employees for at least half of its prescribed life before retirement.

(O.M. No. 14/18/80-JCA, dated 15-12-1980)

- 15.13.** Uniform should not be withdrawn from employees who are suffering or have suffered from infectious or contagious diseases or from those who die while in service. In case, where any item of uniform issued to Group 'C' and Group 'D' employees is lost due to theft or fire, which was not due to his own negligence, the administrative authorities may, at their discretion, issue a fresh item of uniform on receipt of a copy of the First Information Report from the Police or Fire authorities. Action to "Write off" the loss may be taken in consultation with the appropriate financial authorities after the police have confirmed that there are no chances of the theft being traced.

(O.M. NO. 23/9/70-JCA, dated 4-12-1971)

- 15.14.** All possible efforts should be made to reissue the withdrawn uniform, especially the costly items like overcoats, jackets and blankets, to other employees for the remaining portion of the life of the items. Items of uniform which cannot be so re-issued should be disposed of to the best advantage of Government in accordance with the General Financial provisions governing the disposal of obsolete stores.

(O.M. NO. 23/9/70-JCA, dated 4-12-1971)

15.15. Register of uniforms

To ensure timely supply of uniform to the work-charged staff a register in the prescribed form should be maintained by all Divisional Officers. This register should be kept up-to-date by including the names of new employees' eligible categories, as soon as appointments are made and by deleting the names of those who resign, retire or die transferred out of the Division.

15.16. Supply of soap and duster to the work-charged establishment

All the work-charged employees are to be issued soap bar weighing approximately 1 kg. per month and one duster every 3 months each. The supply of soap will be reduced by 250 grams for each week of leave (other than casual leave) availed of by the worker in a month. The expenditure on this account should be met out of the contingencies of the estimate concerned.

(DG O.M. No. 21/7/76-EC.X, dated 21-5-1982 and No. 23/4/81-EC.X dated 8-12-1982)

15.17. Provision of rain coats, gum boots and torch light for work-charged chowkidars and gum boots and protective goggles for beldars working with tar in road gangs

Rain coats and gumboots shall be supplied to a minimum number of chowkidars on the work-charged establishment only as and when they need them for proper performance of their duty i.e. when they have to work out of doors during the rains. Torch light shall be provided to Chowkidars on night duty only.

Beldars who have to work with tar in road gangs, shall be supplied gumboots and protective goggles, while on work.

The above articles cannot be supplied as part of personal uniform to individual workers. The articles will normally be kept at the place of work.

15.18. Ceiling price of leather coat

The ceiling price of leather coat will be in accordance with the General Financial Rules, 2005 as outlined in Department of Personnel and Training OM No. 14/7/2003-JCA dated 21.11.2005

15.19. Issue of uniforms to work-charged staff of CPWD

Orders for the supply of uniform to various categories of work-charged staff of CPWD were issued under this Directorate O.M. NO. 20/5/85-EC.X dated 16-11-87. Certain additional articles of liveries were also added under this DGW, CPWD Circular NO. 01413/7/93-EC.IV (Coord.) dated 1-9-94.

On account of implementation of the Arbitration Award dated 31-1-88 as modified by the Delhi High Court Judgment dated 28-1-92., 19-11-96 & 25-9-98 on re-categorization /re-classification of various categories in the CPWD some categories hitherto comparable Group 'D' have been allowed higher scales of pay which are comparable to Group 'C' categories. Accordingly, those categories are now entitled to get the liveries as supplied to the work-charged categories comparable to Group 'C'.

(O.M. No. 20/1/94-EC.X dated 04-01-1995)

15.20. Procurement of liveries

Consequent to the coming into force of the new 'General Financial Rules, 2005', the existing 'procedure for procurement/ purchase of summer/ winter uniforms' for common categories of Group 'C' and 'D' employees serving in various Ministries/ Departments of the Central Government would be reviewed and modified so as to bring it in line with the provisions of the revised GFRs. The Ministry of Finance (Department of Expenditure) vide their OM No. 1/12/E.II(A)/ 94 dated 29.07.2005 has clarified that the special dispensation from the process of inviting tenders/ quotations provided to NCCF/ Kendriya Bhandar in DOPT Welfare Divisions OM dated 14.07.1981 and 11.04.1994 under Chapter 8 of the old GFR no longer holds good and that purchase/ procurement of good by Government of India offices will now be solely guided by the provisions of GFR,2005.

In supersession of the extant instructions on procurement of summer/ winter uniforms relating to Group 'C' and 'D' (now Group 'C' employees in the Central Secretariat Ministries/ Departments and its attached and subordinate offices, the purchase procedure to be followed in different exigencies and the relevant rules in the GFRs as outlined in Department of Personnel & Training OM No. 14/7/2003-JCA dated 21.11.2005.

SECTION-16- ACTS/RULES APPLICABLE TO WORK-CHARGED STAFF

16.01 Workmen's Compensation Act,1923

If a personal injury is caused to a work-charged or muster roll employee covered by the definition of workman as given in the Workmen's Compensation Act, 1923, as amended by accident arising out of an act in the course of his employment, his employer is liable to pay compensation in accordance with the provision of chapter-II of the Act.

The Executive Engineers have been delegated full powers to sanction compensation under the Workmen's Compensation Act.

Having regard to the provisions of Workmen's Compensation Act, the amount of interim relief drawn by a workman cannot be excluded from the purview of monthly wages for purposes of the said act.

16.02 Central Civil Services (Conduct) Rules, 1964

The Central Civil Services (Conduct) Rules, 1964 are applicable to the work-charged staff of CPWD except for some rules, the non-applicability of which is specifically mentioned therein.

16.03 Application of CCS (CCA) Rules, 1965 on the Work-charged establishment of CPWD

The Central Civil Services (Classification, Control and Appeal) Rules, 1965 were not applicable to the work-charged personnel of the CPWD as such personnel has been excluded from the operation of these rules by the Ministry of Home Affairs vide their Notification SRO- 609 dated 28.02.1957 as amended vide their notification No. 7/5/59-Estt. (A) dated 25.05.1959. The matter has since been considered by the Government and Department of Personnel & Training vide their notification No. 11012/19/84-Estt. (A) dated 28.07.1986, amended the Ministry of Home Affairs notification issued under SRO-609 dated 28.02.1957, as a result of which CCS (CCA) Rules, 1965, as amended from time to time are now applicable to the Work-charged staff of CPWD. Accordingly, it is brought to the notice of all Executive Engineers, etc in the CPWD that as from 28.07.1986, department action can be taken against the work-charged personnel of the CPWD for good and sufficient reasons under CCS (CCA) Rules, 1965.

[DG OM No. 15/3/78-EC-X dated 27.11.1985]

SECTION-17- END OF CAREER- RETRENCHMENT

17.01. Principles of Retrenchment

Retrenchment in any category of the work-charge establishment of the CPWD will be governed by the principle of short service, in other words “last man in, first man out” which is in conformity with the provisions of Section 25(G) of the Industrial Disputes Act

17.02. Absorption of surplus work-charged staff of one unit into another

As soon as it is realized that any temporary work-charged staff is likely to be rendered surplus on account of the completion of works, they should be immediately served with notices of retrenchment in such a manner that the date of the expiry of such notices synchronizes with the date of completion of work. The

employees affected by these notice should during the period of notice, be freely permitted to apply for vacant posts available in other units, who may absorb them within the period of notice, employees who fail to find alternative jobs within the notice period shall stand retrenched from the CPWD on the expiry of notice and will be paid retrenchment compensation in accordance with the provisions of the Industrial Disputes Act. They can thereafter be re-employed in the CPWD as fresh entrants only through Employment Exchange in the usual manner such of those workers as are absorbed within the period of notice will be treated as junior-most in the respective categories under the new units for the purposes of promotion and retrenchment. Such employees will, however, be allowed to count their past service new nit and to carry forward any leave to their credit. Their G.P. Fund Account will also be transferred to the new unit.

As regards permanent employees rendered surplus in any unit, their seniority and other service rights shall not be affected consequent on their absorption in the new unit of seniority.

No permanent employees shall be retrenched without obtaining prior approval of the Director General of Works.

Note: The post of Senior Operator (E&M) declared as dying category as per the Directorate of CPWD vide OM No:- 8/3/2008-NR/EC-X Dated 07.10.2008, as no work for Senior Operator is available on closer of Hot Mix Plants.

17.03 Discharge certificate to employees on retrenchment, re-employment of retrenched employees

Under Section 25(H) of the Industrial Disputes Act, an employer must give an opportunity to the retrenched workmen to offer themselves for reemployment. They shall have preference over other persons, subject to their being otherwise suitable for employment. At the time of retrenchment, a work-charged employee should be given a Discharge Certificate in accordance with the proforma prescribed. The Divisions at the time of notifying vacancies to the Employment Exchange should indicate that ex-employee of the CPWD should be given first preference. Further before employing any retrenched employee the Divisional Officers will satisfy themselves that the person concerned is a retrenched hand of that Division or some other Division. In case the person claims to be retrenched hand of CPWD he should produce a discharge certificate which should be examined to see that there is no objection to his employment. In case the person is

unable to produce a Discharge Certificate or reasons of discharge, a reference should be made to the Divisional Officer concerned to send full particulars about his past service. For this purpose each Division and Independent Sub-division will maintain in order of dates of retrenchment/quitting service, the particulars of work-charged staff who ceased to serve in the Division for any reason whatsoever e.g. retrenchment, superannuation, absconding or as a result of dismissal of termination of service on disciplinary grounds.

Retrenched work-charged staff who were retrenched for some specific reasons which rendered them unsuitable for retention in service, will not ordinarily be re-employed, that is to say only work-charged staff who were retrenched for want of vacancy or due to having become surplus will be offered re-employment subject to their being otherwise suitable for employment.

Whenever a retrenched hand is absorbed by a Division other than that which retrenched him, the employing Division Officer will send an intimation of such absorption to the Divisional Officer from where the worker was originally retrenched.

SECTION-18- RESIGNATION

18.01 Period of Notice

Work-charged employees wishing to resign their appointment have to give a notice of 14 days if they have served less than 1 year and a notice of one month if they have served more than 1 year. In the absence of notice they forfeit pay for the prescribed period.

Only Director General (and not the appointing authority) is authorised to waive the condition of giving the prescribed notice or the forfeiture of pay for the period of notice, wherever he considers that there is justification for such relaxation.

18.02 Withdrawal of Resignation

When a resignation becomes effective, it can be allowed to be withdrawn only with the concurrence of the Ministry of Finance.

SECTION-19-RETIREMENT

19.01. Age of Retirement

It has been decided to regulate the age and the mode of retirement of work-charged employees of the CPWD on the analogy of F.R.56 as at present. That, is, a work-charged employee shall ordinarily be retained in service till the day he attains the age of sixty years. He may, however, be granted extension of service under very special circumstances, to be recorded in writing, after he attains the age of 60 years, with the prior sanction of Government of India. However, the appropriate authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right to retire any work-charged employee after he has attained the age of 55 years by giving him in writing, notice of not less three months or three months pay and allowances in lieu of notice. Similarly any work-charged employee may by giving in writing, notice of not less than three months to the appropriate authority, retire from service after he has attained the age of 55 years, provided that it shall be open to the appropriate authority to withhold permission to a work-charged employee under suspension who seeks to retire after giving 3 months notice.

Notes:

- (1) Appropriate Authority means the Authority which has the power to make substantive appointment to the post of category of posts from which the work-charged employee is retired or wants to retire. –
- (2) The three months notice may be given before the work-charged employee attains the age of 55 years provided the retirement takes place after he has attained that age. –In computing the notice period of 3 months the date of service of the notice shall be included. –
- (3) In computing the notice period of 3 months the date of service of the notice shall be included.
- (4) These orders do not apply to the work-charged staff who are in the scale of pay the maximum of which is less than Rs. 3580/- and who entered service on or before 27th October, 1969. Such work-charged staff may continue up to 60 years. The provisions of paragraph 22.01 however apply to other work-charged staff.
- (5) The Scheme of voluntary retirement issued under the Ministry of Home Affairs (Department of personnel & Admn. Reforms) OM No. 25013/7/77-Estt.(A) dated 26th August, 1977 and Department of Personnel & AR No. above has

been made applicable to the staff who have opted for pensionary benefits and are entitled to pensionary benefits under the CCS(Pension) Rules, 1972.

A work-charged employee automatically retires on attaining the age of compulsory retirement and no formal order of retirement is necessary.

19.02 Superannuation Register

In order to guard against the possibility of a member of the work-charged establishment continuing in service beyond the age of 60 years, and to facilitate review of superannuation cases after the age of 55 years, the Divisional Officers etc. are requested to maintain a superannuation register in the following form. The particulars of all the work-charged staff of the age of 55 years and above shall be entered in this register. This register will be checked by the Divisional Officer every month and a certificate recorded by him in the form prescribed. The Divisional Officer will be held personally responsible for any irregular retention in service beyond the age of 60 years.

Name	Father's Name	Designation	Date of Birth	Date on which he attains the age of 55 years	Whether fit for retention beyond the age of 55 years	Period of retention sanctioned
1	2	3	4	5	6	7

19.03 Application not required for retention between the age of 55 and 60 years.

Applications from the work-charged employees after they have attained the age of 55 years are not needed for retention in service. The Divisional Officers should review their cases every year in accordance with prescribed procedure. A work-charged employee after attaining the age of 55 years is retained in service upto the age of 60 years provided he is not retired in public interest on or after attaining the age of 55 years. The question of granting extension of service arise only after an employee has attained the age of 60 years and can be considered only by the Government of India who alone are competent to grant such extensions.

SECTION-20- TERMINAL BENEFITS

20.01 Compensation

Retrenchment compensation in accordance with the provisions of Section 25(F) of the Industrial Disputes Act, 1947 is payable whenever a work-charged employee is retrenched from service.

Compensation under the Workmen's Compensation Act, 1923, as amended from time to time to a work-charged employees, covered by the definition of workman, as given in the Act, is also payable under the conditions laid down in that Act.

20.02. Work-charged Employees governed by General Provident Fund Scheme Temporary Employees

A Temporary Govt. Servant (or his family in the case of death) employed in an establishment as Work-charged employee who retires on superannuation or on being declared permanently incapacitated for further Government service by the appropriate medical authority after having rendered temporary service of not less than 10 years shall be eligible for grant of superannuation/invalid pension, retirement gratuity and family pension at the same scale as admissible to permanent employees under the CCS (Pension) Rules, 1972.

- (2) Temporary and quasi-permanent employees who seek voluntary retirement after completion of 20 years of service shall continue to be eligible for retirement pension and other pensioner benefits like death-cum-retirement gratuity and family pension under CCS (Pension) Rules, 1972. In cases not covered by Para 1 and 2 above the terminal benefits will continue to be admissible as at present under the CCS (Temporary Service) Rules, 1965.

Permanent Employees

The Family of a permanent employee who dies while in service before completing 5 years service will be eligible for a gratuity equal to the 6 times of emoluments and the amount standing to his credit in GPF along with interest thereon.

If however, such an employee dies after completing 5 years service but less than 20 years service his family will be eligible for a gratuity equal to 12 times of emoluments and the amount in GPF along with interest thereon standing to his credit.

If such an employee dies after completing service of 20 years or more, his family will be eligible for a gratuity equal to half of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times emoluments or Rs. 10 lakhs whichever is less and the amount lying to his credit in GPF along with interest thereon.

Wherever any compensation is payable under the Industrial Disputes Act, the amount of such compensation will be set off against the amount of gratuity if it is more than the amount of compensation. If however, the gratuity is less than the amount of compensation under the Industrial Disputes Act no gratuity will be paid.

20.03. Pension and Gratuity

CCS Pension Rules (1972) are applicable to all W.C. Staff,

As per Rule (2) G.I.D. (2) of CCS Pension Rules (1972), Distinction Between permanent and temporary employees in the application of pension Rules cease to exists. (G.I. Deptt. Of Personnel & Trg. O. M. NO. 18011/1/86-Estt. (D) dt. 28-03-1988.

Add :

Regulation of Claims to Payment of Family Pension, Gratuity : Any claim for pension/ gratuity/family pension benefits will be regulated on the basis of the rules in force on the date on which the employee ceases to be in service due to retirement/resignation or death – Rule (5) of CCS (Pension).

Pension

- (a) Pension is admissible to a worker who retires on attaining the age of 60 years or retires with a qualifying serve of not less than 10 years.
- (b) or to a worker who has been declared incapacitated by the competent medical authority for further service as per Rule 38 of Pension rules.
- (c) or to worker who retires voluntarily after a continuous service of 20 years.

Gratuity

- (a) Gratuity is admissible to a permanent worker who retires after completion of 5 years of qualifying service at the rate of one fourth of emoluments for each completed six monthly period of qualifying service subject to a maximum of 16½ times the emoluments or Rs. 10 lakhs whichever is less.

- (b) or to a worker who was incapacitated in series after a continuous service of not less than 10 years are also eligible for retirement gratuity at the above rate as per Rule 50 and Appendix 6 of Pension Rules.
- (c) or to a worker who retires voluntarily after a continuous service of 20 years and more are also eligible for retirement gratuity at the above rate.

Commutation of Pension

Every pensioner is eligible to commute a portion i.e. 40% of his monthly pension for a lump sum payment i.e. commuted value of pension. An employee or pensioner against whom departmental or judicial proceedings are pending is however, not eligible to commute a portion of his pension till completion of such proceeding as per Rule 4 and 5 of Appendix 1 of Pension Rules.

Family Pension

Family Pension is payable to the family of a regular worker on his death in service after retirement on monthly pension basis as per Rule 54(2) of CCS (Pension) Rules.

(a)Revision of enhancement of family pension in case of pre-1986 pensioners/ family pensioners.

Implementation of Government decision on the recommendation of the Sixth Central Pay Commission – Revision of Pension of Pre-2006 pensioner/family pensioner etc. Provisions contained in M/o Personnel Public Grievance & Pension Deptt. Of Pension & Pensioner Welfare O. M. No. 38/37/8-P&PW(A) dt. 01-09-2008 to be followed.

The persons who entered into Govt. service on or after 01-01-2004 will be regulated by New Pension Schemes 2004.

(M/o Finance Department of Economics Affairs, ECB PR Division, Notification dated 22.12.2003)

20.04.Extension of Retirement/ Death Gratuity benefits to the employees covered by CPF Scheme

In case of work-charged employees who continued under the CPF Scheme from 1-1-1986, they will be entitled to the Retirement Gratuity at the same rate/scale as is admissible to Temporary/Quasi Permanent Govt. servants as the case may be

borne on pensionable establishment as per the recommendations of Fifth Pay Commission.

20.05. Central Government Employees Group Insurance Scheme, 1980

The New Group Insurance Scheme for Central Government Employees on Self Financing and contributory basis came into being vide Ministry of Finance (Department of Expenditure) O.M. No. 15(3)/73-WIP dated 31-10-1980. This is also applicable to W. C. Employees. This scheme replaced the old Central Government employees Insurance Scheme. The New Scheme came into force w.e.f. 1-1-82 and it is compulsory for all those employees who enter Central Government service on or after 1-11-80. If such of the employees who were in service on or before 31-10-80 prefer to opt out of the scheme were to exercise option to that effect on or before 21-3-81. Otherwise there is no need for them to exercise option.

The rates of subscription under the new scheme were Rs. 10/-, Rs. 20/-, Rs. 40/- and Rs. 80/- per month for Group D, Group C, Group B, Group A employees and employees in equivalent categories accordingly. From the Insurance Fund payments were to be made for an Insurance cover of Rs. 10,000, Rs. 20,000, Rs. 40,000 and Rs. 80,000 to the family of Group D, Group C, Group B and Group A employees respectively if they unfortunately die while in service, due to any cause. Rates of subscription w.e.f. 1st Jan. 1990 has been revised for Group 'A, B, C, D' employees to Rs. 120, 60, 30, 15 respectively, for those who do not opt out of the scheme with enhanced rates of subscription.

Accordingly the amount of insurance cover is Rs, 1,20,000, 60,000, 30,000 and 15,000 respectively. However, for those who opt out of scheme the rates of subscription and the amount of insurance cover remains unchanged. The work-charged staff of CPWD being unclassified and ungraded the rates of recovery of monthly subscription and payment of Insurance money in the event of casualty will be guided as per the provision contained in Para 1.04.

20.06. Leave salary equivalent to annual/earned leave due in case of death of work-charged employees in service.

The benefits of leave salary equivalent to Annual/Earned Leave due in case of death in service of permanent work-charged employees have been made available to the legal heirs with effect from 1-1-1996 as provided in OM No. 14023/7/97-

Estt. (L) dated 7th October, 1997, issued by the Department of Personnel & Training.

In respect of Temporary Work-charged employees as provided in the Factories Act, 1948, amended from time to time.

20.07. Cash Payment in lieu of unutilized Annual/Earned Leave to the work-charged staff.

The benefits of cash payment in lieu of the unutilized Annual/Earned Leave have been made available to the permanent work-charged employees, retiring on superannuation w.e.f. 1-1-96 as provided in OM No. 14023/7/97-Estt. (L) dated 7th October, 1997, issued by the Department of Personnel & Training and DOPT OM No. 12012-3-2009-Estt. (L) dated 28.12.2012.

In respect of Temporary Work-charged employees as provided in the Factories Act. 1948, amended from time to time.

20.08 New Pension Scheme

The Central Government has introduced the Defined Contribution based Pension System known as the National Pension System (NPS) notified on 22nd December 2003, replacing the existing system of Defined Benefit Pension w.e.f. from January 1, 2004.

This scheme is applicable to all new employees of Central Government service, except Armed Forces, who have joined Government service on or after 1st January 2004. The employee who joins the NPS will be known as Subscriber in the NPS. Under the NPS, each subscriber will open an account with Central Recordkeeping Agency (CRA) which will be identified through unique Permanent Retirement Account Number (PRAN). Under NPS, two types of account would be available to subscribers i.e. Tier-I & Tier-II.

Tier-I account-where a subscriber contributes his/her savings for retirement in to a non-withdraw able account and investments in this keep accumulating till the employee turns 60. Withdrawal is allowed only in case of death, critical illness or if employee is building or buying first house. In case of death the nominee can get 100% of NPS Wealth in a lump sum, and a Tier-II account- a voluntary saving account from which subscribers are free to withdraw his/her savings whenever he/she wishes.

The Government will match employees' contribution (10% of Pay in Pay Band+ Grade Pay+ Dearness Allowance) and transfer this amount also to Tier-I account in employee's name.

The amount contributed is entitled for deduction from Gross Total Income up to Rs. 1 Lakhs (along with other prescribed investments) as per Section 80C (as per the provisions of Income Tax Act, 1961 as amended from time to time).

The following are the details for the withdrawals allowed in case of Government Employees subscribers:

- a) Upon Normal Superannuation: At least 40% of the accumulated pension wealth of the subscriber needs to be utilized for purchase of annuity providing for monthly pension to the subscriber and balance is paid as lump sum payment to the subscriber.
- b) Upon Death: The entire accumulated pension wealth (100%) would be paid to the nominee/legal heir of the subscriber and there would not be any purchase of annuity/monthly pension.
- c) Exit from NPS before the Age of Normal Superannuation (irrespective of cause): at least 80% of the accumulated pension wealth of the subscriber needs to be utilized for purchase of annuity providing for monthly pension to the subscriber and the balance is paid as a lump sum payment to the subscriber.
- d) The subscribers would be able to purchase the annuities directly from the empanelled Annuity Service Providers as per their choice of annuity that is available in the market/ with the Annuity Service Provider's empanelled by Pension Fund Regulatory Development Authority (PFRDA).
- e) The monthly annuity under the New Pension Scheme is only a replacement of Pension on retirement and Family pension on death after retirement. The benefits of Death-cum-Retirement Gratuity(DCRG) and Pension/Family Pension have been provisionally allowed, vide Department of Pension & Pensioner's Welfare O.M. No. 38/41/06-P7PW(A) dated 05-05-2009, in respect of the Central Government servants covered by the New Pension Scheme in cases where a Government servant is retired on invalidation/disability and in the case of death of a Government Servant in service, on the same rates as are applicable under the old pension scheme, i.e. CCS(Pension) Rules, 1972.
- f) The details of DCRG payable to employees of Central Government under NPS are as under:
 - (i) The retirement gratuity is payable to the retiring
 - (ii) Government Servant. A minimum of 5 years qualifying

- (iii) service and eligibility to receive service gratuity/ pension is essential to get this one time lump sum benefit. Retirement gratuity is calculated @ $1/4^{\text{th}}$ of a month's Basic Pay plus Dearness Allowance drawn before retirement for each completed six monthly period of qualifying service. The maximum retirement gratuity payable is 16 times the Basic Pay, subject to a maximum of Rs.10 Lakhs.
- (iv) If the Government Servant dies while in service, the Death Gratuity shall be paid to his family at the rates furnished in the table below:

S.No	Length of Qualifying Service	Rate of Death Gratuity
1.	Less than one year	2 times of emoluments
2.	One year or more but less than 5 years	6 times of emoluments
3.	5 years or more but less than 20 years	12 times of emoluments
4.	20 years or more	Half of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Maximum amount of Death Gratuity admissible is Rs. 10 Lakhs w.e.f. 01-01-2006.

It may also be noted that the benefit of encashment of leave salary is not a part of the retirement benefits admissible under CCS (Pension) Rules, 1972. It is payable in terms of CCS (Leave) Rules which will continue to be applicable to the government servants who join the government service on or after 01-01-2004. Therefore, the benefit of encashment of leave salary payable to the governments/ to their families on account of retirement/death will be admissible.

SECTION-21- MISCELLANEOUS- DIVISIONAL OFFICES

21.01 Service Records

Divisional Officers are required to maintain all service records and service books of the work charged staff w.e.f 1-1-1990 with transfer of service books of work-charged staff from Zonal Office to Divisional Offices, entries regarding all leave notifications and other notifications regarding transfers etc. issued shall be recorded by Divisional Offices in the service rolls of the workers concerned and attested by the Executive Engineer/Divisional Officer. The annual verification of service, maintenance of leave accounts, issue of periodical increment certificates and issue of leave admissibility certificates, maintenance of increment register shall be carried out by Divisional Offices. So the Divisional offices shall also be Record and Establishment office for the work-charged staff. The work-charged staff continues to be under the administrative and disciplinary control of the appointing authority. The Divisional officers continue to be responsible for sanctioning of leave and payment of leave salary, sanctioning increment and advances from Provident Fund Accounts. Pension cases in respect of officials retiring on 31-7-1990 and thereafter are now processed by divisional offices.

(DG Memo. No. 43/2/89-EC. X dated 1-12-1989)

A record of all Service Books will be maintained in the Division in an Alphabetical Register showing the name of the worker, father's name, Designation, date of birth and Machine Number of the Service Book concerned. The movement of the Service Book is watched through the medium of the above Register. The physical verification of the Service Books will be earned out at regular intervals with the help of the above Register and a certificate to that effect recorded in the Register itself.

In the Case of fresh employment of a work charged employee the Divisional Offices will open a Service Book and complete all entries on the first page and make entry of this new service roll in the Alphabetical Register.

21.02 Maintenance of Leave Accounts

On the basis of leave availed by the worker the entitlement of leave will be worked out and the leave account brought upto-date in the Service Book of the worker concerned. The nature and quantum of leave due will also be recorded in the Service Books. The Divisional Offices will be responsible for sanctioning

leave on the basis of leave entitlement shown in the Service Books. The notification will be serially numbered to trace missing notification, if any, without undue delay. These notifications will also indicate balance of leave at the credit of the worker to enable leave account upto-date.

21.03 Issue of Periodical Increment Certificate

With the introduction of system of service books, the Divisional Office are in a position to know the amount of extra-ordinary leave and periods of suspension etc. in respect of each worker. In the above context, the Divisional offices will be responsible for issue of periodical increment certificates and sanctioning increments to the workers concerned.

(DG Memo No. 18/1n2-WCSII/ECX doted 25th June. 1976)

21.04 Maintenance of G. P. Fund Accounts

For workers recruited upto 31.12.2003, on completion of one years' service, the worker has to subscribe to GP Fund compulsorily. The Divisional Office will recover fund subscription from the worker through the pay bill and prepare Fund Recovery Schedule showing the name of the worker, Provident Fund Account Number. Rate of pay, fund subscription, refund of withdrawal etc. The Fund Schedules will be cyclostyled or typewritten and forwarded to the concerned section by 15th of the following month to which the Schedules relate. A certificate is required to be endorsed to the effect that the totals of the Fund Schedules tally with the totals as shown in the monthly account Similarly Schedules in support of the amount of advance and final withdrawal sanctioned to the worker from the Provident Fund account are required to be prepared duly reconciled with the Monthly account.

After scrutiny of the Fund Schedule amount on account of Fund subscription/advances, the entries should be posted in the Fund Ledger in appropriate column by the concerned section. At the end of each year, the ledger account will be closed and the amount of interest worked out in order to carry out necessary adjustments in the account for the month of March final.

The balances standing to the credit of each worker as on 31st March of each year as also the rate of fund subscription and refund of withdrawals will be recorded in the Service Book.

[DG No. ZO (WCE)/GPRd/90-91/273 dated 22-3-91]

(i) Annual Statements of GP Fund Account:

The annual statement of accounts in respect of the subscriber to GP Fund will be issued by the Divisional Office at the end of each year. The Divisional Office will also rectify the discrepancies pointed out by the subscribers concerned.

(ii) Transfer of GP Fund balances consequent on transfer of a worker from one Division to the other:

As soon as the worker is transferred from one Division to the other, the Service Book will be forwarded to the Division to which the individual has been transferred. The amount of GP Fund balance standing to the credit of that worker will be calculated and this amount transferred by issue of the cheque in favour of the Division to which the worker has been transferred.

(iii) Sanction of advances/final withdrawal from Provident Fund:

On the basis of Fund balances recorded in the Service Book/Fund Ledger, the Divisional offices will make payment of advances/final withdrawals to the extent admissible under rules. The entry regarding sanctioning of advance/final withdrawal will be made by the Divisional offices in the Service Books of the worker concerned.

(iv) Final Payment of GP Fund:

On the death, discharge, resignation and retirement of a worker, the application for final withdrawal of fund assets, indicating the GP Fund account number, will be submitted to the Divisional Officer. The Divisional Office will check the last month pay bill through which fund subscription/refund of withdrawal was recovered. The amount of advance/final withdrawal paid to -the worker during the preceding twelve months will also be checked. The amounts remaining outstanding or any other dues remaining outstanding should also be verified. On the basis of these. the fund account of the worker will be finally closed and total amount standing to the credit of the worker will be worked out for making payment to the worker/nominee or his legal heir The Divisional office will ensure before making payment that no recoveries are outstanding against the worker concerned.

(v) Delegation of powers to the Executive Engineers to sanction GP Fund Advance to work-charged staff without referring to Superintending Engineers:

Earlier powers to sanction of G. P. Fund Advances to the work-charged staff of CPWD were delegated to the Superintending: Engineers. Since all the records pertaining to G. P. Fund subscription etc. in respect of work-charged staff are available in the Divisional Offices, it has now been decided to delegate the powers to sanction advance from G. P. Fund to the work-charged staff to the concerned Executive Engineers under Rule 12 of G. P. Fund (Central Services) Rules, 1960, to avoid unnecessary paper work and delay.

[DG O. M. No. 13/1/90-EC. X dated 29-10-90]

21.05 Processing of Pension and Gratuity cases

With the help of the date of birth recorded on the Service Card, the Divisional Office will be in a position to retire a worker on the due date i.e. the last day of the month. In fact, the Divisional Office shall prepare a list of workers who are due to retire during the period of 12- 18 months ahead of each quarter ending March, June, September and December. The Service Records of all such workers who are due for retirement will be brought up to date and the period of service which could not be verified or require condonation would be taken up for verification/condonation. The Divisional Office will also collect the formal application and other documents required for the purpose at least 12 months in advance of the date of actual retirement of the worker concerned.

The Divisional Office will also prepare the history of the service and will work out the amount of pension, gratuity and family pension admissible to the worker at least six months in advance of the date of retirement. After completing these documents in all respects, the Divisional Office will transmit them to Pay and Accounts Office. The Divisional Office will keep a close watch on the progress of the cases sent to that office and ensure that the Pension Payment Orders are issued by them before the date the individual is actually retired so that he starts getting pension from the date he retires. In cases, in which the Pay & Accounts Office is not in a position to formally issue the Pension Pay Order, the Divisional Office will ensure provisional payment of pension and 3/4th of the revised gratuity for the first six months as admissible to the worker under the revised instructions.

21.06 Yard Stick

Yard stick for work charged staffs in Civil, Electrical and Horticulture sides as suggested by SIU are contained in Appendix **VII, VIII & IX.**

21.07 Ban on engagement of Casual Labour

It has been decided that there should be an absolute ban on recruitment on Muster Roll.

SECTION-22-COURT MATTERS

22.01 Court cases relating to the service matters of CPWD Employees

CPWD is spread all over the country. For redressal of their grievances relating to service and matters, the employees approach the various courts all over India as detailed below:

1. Regional Labour commissioner(Central)(RLC);
2. Central Govt. Industrial Tribunal (CGIT);
3. Central Administrative Tribunals(CAT);
4. High Courts; and
5. Supreme Court.

Work-charged and regular classified staffs of CPWD file their claim before the Regional Labour Commissioner (Central) through the unions for re-conciliation which is defended by the Executive Engineer of the Division where the workman is posted. Reply to the claim application is prepared by the Division concerned and the same is filed in the office of R.L.C after vetting by the concerned ADG, if no policy matter is involved in the matter. However, if any policy matter is involved in the matter, advice of this Directorate is obtained by the concerned Zone. After the pleadings are complete, the ALC(C) hears the matter orally and tries to reconcile the same. However, if the ALC(C) is not able to reconcile the matter an FOC report along with the claim application of the applicant and reply thereof filed by the Deptt is sent to the M/o Labour. M/o labour considers the matter after calling the comments of this Directorate and refers the matter to the Central Govt. Industrial Tribunal (CGIT) for further adjudication, if it considers that the claim of the workman has some justification. However, if the matter is not referred by the M/o Labour to the CGIT, the same is considered to be closed.

When M/o Labour refers any matter for further adjudications, the concerned workman files his claim application before the Presiding Officer of the concerned CGIT with a copy to the DG, CPWD and EE of the concerned Division. On receipt of a notice and claim application from the CGIT, the concerned Division, in the first instance engages a Govt. Counsel through M/o Law to defend the case. After engagement of Govt. Counsel, the concerned Division furnishes the point-wise comments on the claim application of the workman to the Govt. Counsel. Govt. Counsel prepares a draft counter Affidavit and sends the same to the concerned Division for approval. The concerned Division examines the draft counter Affidavit with reference to the record/Govt. instructions and submits the same for vetting to the concerned ADG through SE/CE(**Annexure-X**). After the draft counter Affidavit is vetted by the competent Authority, the same is filed in the CGIT through the Govt. Counsel. After the pleadings are complete, the Presiding Officer, CGIT hears the matter. The concerned EE attends the hearings alongwith Govt. Counsel. After the matter is heard by the Presiding Officer, CGIT and Award is issued either in the favour of the workman or in the favour of the management. After the receipt of a copy of the Award the concerned Division examines the same on the basis of legal opinion of the Govt. Counsel. If the Award given by the CGIT is found justified in accordance with the relevant rules, the same is implemented with the approval of the Competent Authority. However, if the Department feels that the Award given by the CGIT is in violation of the existing policy/Govt. instructions the same is referred to the Deptt. Of Legal Affairs through M/o UD for exploring the feasibility of challenging the same in the Hon'ble High Court by way of filing a Writ Petition. If Deptt of Legal Affairs finds the matter fit for challenging in the Higher Court, then the Award is challenged in the Hon'ble High Court by filing a Writ Petition and Stay Application through a Govt. Counsel. However, if Department of Legal Affairs (DoLA) does not find the matter fit for challenging in the Higher Court then the Award is implemented with the approval of Competent Authority/M/o UD.

After hearing the matter, the respective High Court either accepts the WP and quashes the Award of CGIT or dismisses the WP. In case, the WP is accepted by the Hon'ble High Court and the CGIT Award is quashed, no further action is required in the matter. However, if the WP is dismissed by the Hon'ble High Court, then the matter is again referred to DoLA for exploring the feasibility of challenging the High Court's order in the Hon'ble Supreme Court. If DoLA agrees with our proposal, it refers the matter to one of the Law Officers (A.S.G) in the Central Agency Section for their Opinion. If the Learned Law Officer finds the

matter fit for challenging then an SLP is filed in the Hon'ble Supreme Court. However, if the Law Officer does not find the matter fit for challenging, then the order of Hon'ble High court is implemented with the approval of Competent Authority.

Besides the Labour Courts, the employees of CPWD also file their cases in the various Benches of Central Administrative Tribunals(CAT). The respective Divisions defend the cases in the Hon'ble CAT through Govt. Counsel. Rest of the procedure for conducting the cases in Hon'ble CAT is the same as detailed above.

Annexure-I
(see Para 1.02)

**TABLE SHOWING THE APPROVED CATEGORIES IN THE WORK CHARGED
ESTABLISHMENT OF CENTRAL PUBLIC WORKS DEPARTMENT, THEIR SCALE OF PAY
AND NATURE OF SKILL**

Sl. No.	Category	Pay Band	Pay Band with Grade Pay w.e.f. 01.01.2006	Nature of Skill
1	Beldar	PB-1	Rs.5200-20200 + 1800	Unskilled
2	Khallasi	PB-1	Rs.5200-20200 + 1800	Unskilled
3	Bandhanai	PB-1	Rs.5200-20200 + 1800	Semi-skilled
4	Mali Grade-III	PB-1	Rs.5200-20200 + 1800	Semi-skilled
5	Packer	PB-1	Rs.5200-20200 + 1800	Semi-skilled
7	Auto Electrician	PB-1	Rs.5200-20200 + 1900	Skilled
8	Caneman	PB-1	Rs.5200-20200 + 1900	Skilled
9	Carpenter	PB-1	Rs.5200-20200 + 1900	Skilled
10	Mason	PB-1	Rs.5200-20200 + 1900	Skilled
11	Plumber	PB-1	Rs.5200-20200 + 1900	Skilled
12	Line Man	PB-1	Rs.5200-20200 + 1900	Skilled
13	Upholster	PB-1	Rs.5200-20200 + 1900	Skilled
14	Armature Winder	PB-1	Rs.5200-20200 + 1900	Skilled
15	Boilerman	PB-1	Rs.5200-20200 + 1900	Skilled
16	Lift Mechanic	PB-1	Rs.5200-20200 + 1900	Skilled
17	Mechanic	PB-1	Rs.5200-20200 + 1900	Skilled
18	Mechanic (AC&R)	PB-1	Rs.5200-20200 + 1900	Skilled
19	Operator (E&M)	PB-1	Rs.5200-20200 + 1900	Skilled
20	Road Roller Driver	PB-1	Rs.5200-20200 + 1900	Skilled
21	Turner	PB-1	Rs.5200-20200 + 1900	Skilled
22	Welder	PB-1	Rs.5200-20200 + 1900	Skilled
23	Wireman	PB-1	Rs.5200-20200 + 1900	Skilled
24	Mali Grade-II	PB-1	Rs.5200-20200 + 1900	Skilled
25	Motor Lorry Driver	PB-1	Rs.5200-20200 + 1900	Skilled
26	Painter	PB-1	Rs.5200-20200 + 1900	Skilled
27	Mate	PB-1	Rs.5200-20200 + 1900	Skilled
28	Black Smith	PB-1	Rs.5200-20200 + 1900	Skilled
29	Moulder	PB-1	Rs.5200-20200 + 1900	Skilled
30	Fitter	PB-1	Rs.5200-20200 + 1900	Skilled
31	Electrician	PB-1	Rs.5200-20200 + 2400	Highly-Skilled
32	Senior Mechanic (AC&R)	PB-1	Rs.5200-20200 + 2400	Highly-Skilled
33	Senior Mechanic	PB-1	Rs.5200-20200 + 2400	Highly-Skilled
34	Mali Grade-I	PB-1	Rs.5200-20200 + 2400	Highly-Skilled
35	Senior Operator	PB-1	Rs.5200-20200 + 2400	Highly-Skilled

36	Foreman (AC&R)	PB-1	Rs.5200-20200 + 2800	Skilled- Supervisory
37	Foreman (Mechanical)	PB-1	Rs.5200-20200 + 2800	Skilled- Supervisory
38	Foreman (Electrical)	PB-1	Rs.5200-20200 + 2800	Skilled- Supervisory

Annexure-II
(see Para 1.04)

**CLASSIFICATION OF THE CATEGORIES OF WORK-CHARGED ESTABLISHMENT OF CENTRAL
PUBLIC WORKS DEPARTMENT UNDER THE PROVISIONS OF CENTRAL CIVIL SERVICES
(CLASSIFICATION, CONTROL & APPEAL) RULES, 1965.**

Sl. No.	Category	Nature of Skill	Pay Band	Pay Band with Grade Pay w.e.f. 01.01.2006	Classification under the provisions of CCS(CCA) Rules, 1965
1	Beldar	Unskilled	PB-1	Rs.5200-20200 + 1800	Group-C
2	Khallasi	Unskilled	PB-1	Rs.5200-20200 + 1800	Group-C
3	Bandhanai	Semi-skilled	PB-1	Rs.5200-20200 + 1800	Group-C
4	Mali Grade-III	Semi-skilled	PB-1	Rs.5200-20200 + 1800	Group-C
5	Packer	Semi-skilled	PB-1	Rs.5200-20200 + 1800	Group-C
6	Senior Electrician	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
7	Auto Electrician	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
8	Caneman	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
9	Carpenter	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
10	Mason	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
11	Plumber	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
12	Line Man	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
13	Upholster	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
14	Armature Winder	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
15	Boiler man	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
16	Lift Mechanic	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
17	Mechanic	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
18	Mechanic (AC&R)	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
19	Operator (E&M)	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
20	Road Roller Driver	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
21	Turner	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
22	Welder	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
23	Wireman	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
24	Mali Grade-II	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
25	Motor Lorry Driver	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
26	Painter	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
27	Mate	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
28	Black Smith	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
29	Moulder	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
30	Fitter	Skilled	PB-1	Rs.5200-20200 + 1900	Group-C
31	Electrician	Highly-Skilled	PB-1	Rs.5200-20200 + 2400	Group-C
32	Senior Mechanic (AC&R)	Highly-Skilled	PB-1	Rs.5200-20200 + 2400	Group-C
33	Senior Mechanic	Highly-Skilled	PB-1	Rs.5200-20200 + 2400	Group-C
34	Mali Grade-I	Highly-Skilled	PB-1	Rs.5200-20200 + 2400	Group-C

35	Senior Operator	Highly-Skilled	PB-1	Rs.5200-20200 + 2400	Group-C
36	Foreman (Mechanical)	Skilled-Supervisory	PB-1	Rs.5200-20200 + 2800	Group-C
37	Foreman (Electrical)	Skilled-Supervisory	PB-1	Rs.5200-20200 + 2800	Group-C
38	Foreman (AC&R)	Skilled-Supervisory	PB-1	Rs.5200-20200 + 2800	Group-C

ANNEXURE-III
(See Para 2.03)

LIST OF EXECUTIVE ENGINEERS (COORD) -REGION WISE

Executive Engineer, Coordination (Electrical),C.P.W.D.NEW DELHI(Region A)

Executive Engineer, Coordination (EZ),C.P.W.D.,KOLKATA(Region B)

Executive Engineer, Coordination (WZ),C.P.W.D.,MUMBAI(Region C)

Executive Engineer, Coordination(SZ),C.P.W.D.,CHENNAI(Region D)

Director of Horticulture, C.P.W.D. I.P. Bhawan, New Delhi.

Function of Executive Engineer, Coordination/ Director of Horticulture

The Executive Engineers (Coordination) Director of Horticulture except the Exceptional Units of Seniority, will be responsible for making recruitment, maintenance of communal roster, seniority lists, disposition lists of the staff in their respective regions and also for retention and custody of one copy each of character rolls of the staff. Executive Engineers in case of the Exceptional Units are required to attend to initial recruitment, promotion, maintenance of communal roster, seniority lists etc.

The Director of Horticulture (DR) will maintain the seniority lists, disposition list of horticulture staff in other region also.

LIST OF EXCEPTIONAL UNITS OF SENIORITY FOR W.C.STAFF

CIVIL

1. Ahmedabad Central Division, Ahmedabad and Gandhinagar Central Division Gandhinagar with Coordination control of Ahmedabad Central Division, Ahmedabad.
2. Ajmer Central Division ,Ajmer Bikaner Central Division Bikaner and Jaipur Central Division, Jaipur with coordination control of Ajmer Central Division Ajmer.
3. Dehradun Central Division No. I, Dehradun Central Division No. II, Dehradun and Bareilly Central Division, Bareilly with Coordination Control of Dehradun Central Division No.I, Dehradun.
4. Gangtok Central Division,Gangtok.
5. Goa Central Division , Bambolin.
6. Kanpur Central Division Kanpur, Allahabad Central Division, Allahabad and Lucknow Central Division Lucknow with Coordination Control of Kanpur Central Division Kanpur.
7. Madhopur Central Division, Madhopur and Jammu Central Division, Jammu with Coordination Control Madhopur Central Division, Madhopur.
8. Srinagar Central Division, Srinagar.

ELECTRICAL

1. Ahmedabad Central Electrical Division, Ahmedabad.
2. Bhubaneshwar Central Electrical Division, Bhubaneshwar.
3. Chandigarh Central Electrical Division, Chandigarh and Karnal Central Elect. Sub-Division , Karnal with Coordination Control of Chandigarh Central Electrical Division, Chandigarh.
4. Faridabad Central Electrical Division, Faridabad.
5. Guwahati Central Electrical Division I&II Guwahati with Coordination Control of Guwahati Central Electrical Division No.I, Guwahati.
6. Gwalior Central Electrical Division, Gwalior.
7. Hindan Central Electrical Division, Hindan.
8. Indore Central Electrical Division, Indore.
9. Jaipur Central Electrical Circle, Jaipur.
10. Kanpur Central Electrical Division.
11. Dehradun Central Electrical Division.
12. Lucknow Central Electrical Division.
13. Madhopur Central Electrical Division, Madhopur.
14. Patna Central Electrical Division, Patna.

15. Srinagar Central Electrical Division, Srinagar.
16. Trivandrum Central Electrical Division, Trivandrum.
17. Pune Central Electrical Division, Pune.
18. Nasik Central Electrical Division (Nasik & Aurangabad).

Directorate General of Works
Central Public Works Department
No.6/5/2001-S&D/23

OFFICE ORDER

Subject: Coordination regarding function for W.C. staff.

The matter has been examined in the Directorate. In order to clarify the position to all concerned it is decided to reiterate the standing instructions as below:-

Coordination functions for all work charged staff, posted in metropolitan cities, will be carried out by the concerned SE (Coord.) of the Region.

In Delhi, this will be done by SE (Elect.) (Coord.) In Mumbai, Kolkata and Chennai, Superintending Engineers (Coord.) in WR, ER and SR will carry out this function.

For work charged staff posted outside metros, the Circles will be units of seniority. The concerned Superintending Engineers (Civil & Electrical) will be responsible for maintaining seniority, promotion, retrenchments etc.

For exceptional units, the concerned Superintending Engineer will carry out the coordination functions. However, as merger of seniority is likely to create complications, the seniority of exceptional units etc., will be maintained separately by the respective SE's and their identity may be maintained as at preset till further orders.

This issue with approval of DG (W).

Sd/-
Director(S&D)

To
All ADGs
All Chief Engineer(Civil & Elect.)
All SE (Coord.).

ANNEXURE-IV
(See Para 3.03)

OPERATIVE GRADE & GROUP-C-PERFORMANCE REPORT C.P.W.D.

Period of Report from..... To.....

PART 1

TO BE FILLED BY THE REPORTING OFFICER

1. Name_____
2. PIMS ID_____
3. Age_____
4. Post Held_____
5. Pay_____
6. Educational Qualifications_____
7. Can he read write Hindi/English_____
8. Period of absence during the year_____
9. Observations on:

(i)State of Health

(ii)Intelligence

(iii)Interest in his work

(iv)Skill and proficiency in trade in which engaged.

(v)Amenability to Discipline

(vi)Punctuality & Regularity

(vii)Honesty and Integrity

(viii)Devotion to duty

(ix)Sense of responsibility.

10. Is he fit for promotion, if so which grade.
11. Are you prepared to retain him under you?
12. Mention any skill or proficiency acquired.
13. General remarks on his work & conduct.

Signature of Reporting officer

.....

Name.....

Designation.....

Date.....

Part-II

REMARKS OF THE REVIEWING OFFICER

Signature of Reporting officer

.....

Name.....

Date.....

Design

No23/3/97-EC.X
GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CENTRAL PUBLIC WORKS DEPARTMENT

Nirman Bhawan, New Delhi
Dated 19.01.2004.

OFFICE MEMORANDUM

Subject:- Payment of overtime allowance for CPWD Workers.

The ministry of labour had issued Notification No. SO 563 (E) dated 23-5-2002 and the three Unions, viz. CPWD Workers' Union, CPWD Mazdoor Union and All India CPWD employees' Union had objections. The Ministry of Labour has responded to objections/views raised by the Unions and the request of the CPWD and the Ministry of Urban Development & Poverty Alleviation, vide their ID No.S32021/1/2002-WC (MW) dated 13-1-2003 as follows:-

“The notification of 23-5-2002 is superfluous as even in the absence of the said notification, Section-14 of the Minimum wages Act, 1948 shall be applicable to the workers of CPWD or any other establishment engaged in the scheduled employments, only if they are in receipt of minimum wages fixed under the Act.”

Through the Gazette Notification No. SO 22(E) dated 8-1-2003, the Ministry of Labour has withdrawn the earlier Notification No. So 563(E) dated 23-5-2002.

2. According to Section-14(1) of the Minimum Wages Act,1948,where an employee whose minimum rate of wages is fixed under this Act by the hour, by the day or by such a longer wage-period as may be prescribed, works on any day in excess of the number of hours constituting a normal working day, the employer shall pay him for part of an hour so worked in excess at the overtime rate fixed under this Act or under any law of the appropriate Government for the time being in force, whichever is higher.

3. The wages of CPWD workers are not fixed under the provisions of Minimum Wages Act. 1948. CPWD workers are paid higher wages according to CCS (Revised pay) Rules, 1997 like all other Central Government Employees.

4. The Authority under Minimum Wages Act, 1948 and the Regional Labour Commissioner(C), New Delhi while disposing of the Claim Application No.MWA-20/2001 filed by CPWD workers issued orders on 31-12-2001 stating that the Section-14 of the Minimum Wages Act provides for the payments of overtime allowance only to those employees who are getting minimum rates of wages under the provisions of the Minimum Wages Act, 1948. It does not apply to those who are getting better wages under other statutory rules. CPWD workers were not granted the benefit of overtime allowance under the Minimum Wages Act by this Regional Labour Commissioner (Central)'s order.

5. The above order of Regional Labour Commissioner (C), New Delhi has also relied upon the Supreme court judgement in the Municipal Council, Hatta Vs. Bhagat Singh on 6th February, 1998 which stated categorically that worker whose are not fixed under the Minimum Wages Act are not entitled to overtime allowance under the Minimum Wages Act.

6. The Ministry of Law were also consulted in the matter. In their legal advice, vide their U.O. No.20297/03 dated 18-2-2003, they have brought out that since the CPWD workers are not in receipt of minimum wages fixed under the Minimum Wages Act, 1948 and are getting pay in scales of pay prescribed by the Ministry of Finance, these employees are not entitled for overtime wages at double rates as prescribed under Section-14 of the Minimum Wages Act, 1948 which is not applicable to them as per the Supreme Court judgement in the case of Municipal Council, Hatta.

7. Keeping in view the above. Namely the I.D. Note of Labour Ministry, the order of the Minimum wages Authority and Regional Labour Commissioner (C) dated 31-12-2001 and the judgement of the Supreme Court in the Municipal Council, Hatta case (Civil Appeal No. 4826 of 1991) on 6th Feb 1998, and Section-14 of Minimum Wages Act, 1948, the following orders are issued with reference to the CPWD workers borne on the Work-charged Establishment and Regular Classified Establishment.

8. The following rates shall apply to the Work-charged Staff and Regular Classified for the purpose of overtime allowance:-

UPTO1200	7.95	10.60
1201-1450	9.55	12.75
1451-1700	11.35	15.15
1701-1950	13.15	17.55
1951-2200	14.95	19.95
2201 and above	15.85	21.15

9. The emoluments referred to in the quoted OM refer to the per- revised scales. The “Emoluments” for this purpose means pay as defined under FR 9(21) (a) plus DA/CCA/ Composite, Hill Compensatory Allowance. For the purpose of applying ‘pay’/pay Slabs’ in the existing orders. ‘notional pay’ admissible in the pre-revised scale to be taken into account for the purpose of allowing overtime allowance.

10. The above categories of employees are entitled to get overtime allowance as per the above mentioned rates, subject to following conditions:-

- (i) First one hour free:- One hour to be deducted as free duty from extra duty performed either before or after office hours, beyond prescribed hours of work. If an official is recalled for OT duty from residence, such deduction not to be made.
 - (ii) Lunch break:- Actual time taken for lunch-break to be deducted from OT duty.
 - (iii) Late attendance:-If an employee comes late on the day when put on OT duty, the time by which he comes late to be deducted in addition to the usual one hour free work.
 - (iv) Rounding:-
 - (a) Fraction of half-an-hour to be rounded to next half hour, e. g. if OT duty beyond one hour free work is for 2 hours 10 minutes, it should be rounded to 2^{1/2} hours.
 - (b) Calculation of OTA for each day to be rounded to the nearest multiple of 5paise. Total claim for a month to be rounded to the nearest rupee as per general orders.
 - (v) Other forms of compensation not admissible:- Compensation like conveyance charges, etc. not admissible in respect of OT duty for which Ota is drawn. In case of recall from residence for OT duty, conveyance chargers/free conveyance admissible.
 - (vi) Tour/Temporary transfer:-OTA admissible for the OT duty performed at the place of duty.
11. Further, the order regarding engagement of workers on overtime duty will continue to be the same as per the existing Order No.23/9/98-EC.X dated 12-2-1999 as under:-

- (i) A ceiling limit on overtime of 30 hours in a month is fixed for the following categories:-
 - (a) Electrician /Wireman and one Khallasi
 - (b) General Operator/Pump operator
 - (c) Lift Operator
 - (d) AC Mechanic for Central AC Plant Room/Package Unit and one Khallasi

- (e) Plumber and one Beldar
- (f) Sewerman
- (g) Chowkidar
- (h) Mali/Sr. Mali
- (i) AC Mechanic for WTAC Units and one Khallasi from April to October
- (j) Farash.

(ii). A ceiling limit on 20 hours in a month is fixed for the following categories:-

- (a) Mason and one Beldar
- (b) Carpenter and one Beldar
- (c) Painter and one Beldar
- (d) Chowdhary
- (e) Upholsterer
- (f) Lift Mechanic.

(iii) A ceiling limit on overtime of 15 hours in a month is fixed for the following categories:-

- (a) Beldar
- (b) Khallasi
- (c) Sweeper
- (d) Fireman and leading fireman and Fire Khallasi

(iv) A ceiling limit on overtime of 50 hours in a month is fixed for MLDS.

This circular is issued in supersession of the OM No.43/1/2002-Genl.dated 28-6-2002, the OM No.23/5/98-EC.X dated 1-8-2002 and OM No. 23/3/97-EC.X dated 19-9-2002.

Consequent upon the advice rendered by the Ministry of Labour, vide its I.D.No. S-32021/1/2002-WC (MW) dated 13-1-2003 and Ministry of Law, vide its U.O. No. 20297/03 dated 18-2-2003, the OM No.23/5/98-EC.X dated 15-12-1998, relating to payment of overtime wages to the Work charged Establishment and Regular Classified Establishment Workers of CPWD, is withdrawn.

This issues with the approval of Ministry of Urban Development & Poverty Alleviation vide I.D. Dy. No.292/03/EW-2 dated 28-9-2003 and I.D. Dy. No.3240/03/-EW-2 dated 19-12-2003.

Sd./ -
(Meetali Ghosh)
Deputy Director

To

All the ADGs/CEs and all Establishment Sections in Central Office.

ANNEXURE-VI
(See Para 5.04)

LIST OF CATEGORIES OF WORK-CHARGED STAFF ENTITLED FOR TOOL-MAINTENANCE ALLOWANCE. REVISED RATES OF TOOL MAINTENANCE AND LIST OF TOOLS TO BE MAINTAINED BY THEM.

S.No.	Categories of W.C. Staff	Rate of TMA per month	List of Tools required to be maintained		No. of Tools
1	Mason	Rs.60.00	1	Trowal large & small	3
			2	Mason's Square (Wooden)	1
			3	Plumb-bob	1
			4	Chisel Hammer (Basauli)	1
			5	Sprit level	1
			6	Chisel	1
			7	Hammer	1
			8	Wooden Plaot (Small & Big)	1
			9	Steel Flact (Gurmala)	1
2	Carpenter	Rs.60.00	1	Wooden Chopper (Basula)	1
			2	Saws of different kinds	3
			3	Hammer	1
			4	Plier (Jamboor)	1
			5	Planner of different kinds (9", 2", 2½")	3
			6	Screw Drivers	2
			7	Drill of different kinds (Woods)	6
			8	D. Chisels (Chaurosi)	2
			9	Wooden File	4
			10	Auger (Grimat Barmas)	1
			11	File for sharpening saws	1
			12	Grinding stone	1
			13	Marking Guage (Khoes)	1
			14	Two-Foot four-fold rule	1
			15	Trysquare (Gunia)	1
			16	Straight Edge (Phanti)	

3	Plumber	Rs.60.00	1	Plier	1
			2	Screw Wrench	1
			3	Screw Driver	1
			4 44	Chisel	1
			5	Hammer	1
			6	Haksaw	1
			7	Pipe Wrench	1
4	Blacksmith	Rs.60.00	1	Hammer 16 lbs.	1
			2	Hammer 1 kg.	1
			3	Iron Catcher 1 kg.	1
			4	Pipe Wrench	1
			5	Spanner	1
			6	Hammer 250 gm.	1
			7	File	3
			8	Chisel	6
			9	Screw Driver	4
5	Upholsterer	Rs. 60.00	1	Needle 8"	1
			2	Needle 10"	1
			3	Scissors	1
			4	Measuring Tape	1
			5	Hammer	1
			6	Plier (Jamboor)	1
6	Mechanic/Sr. Mech./Fitter/ Lift Mechanic Diesel-Mechanic Radio-Mechanic	Rs. 60.00	1	5"long Nose Plier	1
			2	Screw Wrench 8"(Adjustable)	1
			3	Wooden Handle Screw Driver 6"	1
			4	Wooden Handle Screw Drive 8"	1
			5	Wooden Handle Ball Fan Hammer	1
			6	Double End Spanners: 1/4"x5/16" 5/16x3/8" 3/8"x7/14" 7/16"x1/2" 1/2"x5/8" 5/8"x3/4"	1
7	Wireman/Electrician/Lineman	Rs. 60.00	1	5"Long Nose Cutting Plier	1
			2	6"Insulated Plier suitable for 500 volts	1

			3	Wooden Handle Screw Driver 3 size	1
			4	Wooden Handle Screw Driver 6"size	1
			5	Feet Four Fold Wooden Rule	1
			6	Electrician's Knife	1
			7	1"Faint Brush for cleaning	1
			8	Wooden Handle Ball Fan Hammer	1
			9	Oil Can 1/2 pint	1
			10	Line Tester	1
			11	Double End Spanners	1
			1/4"X5/10"		1
			5/16"X3/8"		1
			3/8"X7/14"		1
			7/16"X16"		1
			1/2"X5/8"		1
			5/8"X3/4"		1

ANNEXURE-VII
(See Para 21.06)

YARDSTRICK FOR HORTICULTURE STAFF RECOMMENDED BY SIU, 1989

S.No.	Type of Area	Norms
1.	H.M. house & officers entitled to free Accommodation	1 acre Mali
2.	MPs accommodation and Government Officers bungalows	1.55 acres
3.	Flats	1.35 acres
4.	Permanent office accommodation	1.25 acres
5.	Open spaces	3.00 acres
6.	Play grounds	2.00 acres
7.	Public Parks	2.00 acres
8.	Prestigious works	1.00 acres
9.	Hedge cutting	12,000 Running ft
10.	Potted plants	3,000 plants/Mali
11.	Mowing of lawn	*20 acres
12.	Trees	-

Per Mali	Slow growing trees	Fast growing trees
250	upto 4 yrs. old	Upto 3 yrs old
300	4-8 yrs.	5-6 yrs.
1,200	Beyond 8 yrs.	Beyond 6 yrs.

- These works have already been included in the above works and therefore no separate staff is to be provided for these works unless at the places where only cutting work/mowing of lawns is to be performed.

Chowdhary1

Over 18 Malies

Ratio between Malies & Senior Malies 3:1

ANNEXURE-VIII
(See Para 21.06)

**YARDSTICKS FOR CIVIL CATEGORIES OF WORK-CHARGED STAFF
RECOMMENDED BY SIU, 1989**

The work-charged staff is meant for day-to-day maintenance of buildings only. The work of carrying out annual repairs to residences. Like colour washing, distempering, painting, white-washing, etc. works of additions and alterations or minor works not requiring immediate execution are normally not covered by their duties and may be got done through contractors. However, spare capacity if any should be utilized in carrying out petty items of works, like putting up doors, partition of walls, change of W.C. and other similar items.

2. The yardsticks are applicable throughout India.

NORM FOR CIVIL CATEGORIES OF WORK-CHARGED STAFF

A. Residential Buildings:

S.No.	Category	Plinth area in sq.ft. (in lakhs)		
		Type-I	Type II-IV	Type-V & above
1.	2.	3.	4.	5.
1.	Mason	2.40	3.40	4.50
2.	Carpenter	4.00	4.00	4.50
3.	Fitter/Plumber	3.40	3.90	4.50
4.	Sewerman	3.50	4.50	6.50
5.	Beldar	One Beldar for each Mason and half Beldar for each Carpenter/Plumber. Provide additional Beldars, equal to 150% of the total number of Beldars required for Masons/ Carpenters/ Plumbers.		
6.	Painter	As required		
7.	Caneman	As required, only for emergent works. One Caneman may be employed in 'B' Division and two in Parliament Works Division		

Note: Beldars shall form a pool and not be attached to a particular category of skilled labourers. They can be deployed to work with skilled labourers or on miscellaneous jobs like cleaning the

drains, repairs to roads, carriage of materials etc. at the discretion of the Assistant Engineer-in-charge of Enquiry Office.

B. Non-residential:

S.No.	Category		Plinth area in sq. ft.(in lakhs)			
		Rashtrapati Bhawan, Parliament House	Monumental Buildings	Hospitals	Public Bldgs-Schools, Courts, Airport Terminal etc.	Office Bldgs.
1	2	3	4	5	6	7
1	Mason	As required	6.00	2.50	2.60	4.00
2	Carpenter	As required	8.50	4.00	4.40	6.50
3	Fitter/ Plumber	As required	8.50	4.00	4.00	5.00
4	Sewerman	As required	8.50	4.20	9.00	9.00
5	Beldar	twice the Number of Workers in Categories of Mason and Carpenter.				

Note: While working out the requirements, the rounding off should be done at the level of sub-division and fraction of less than half ignored and half more than half treated as one. However, if the strength of worker in any category works out to less than 0.5, then one positional worker may be provided.

YARDSTICKS FOR ELECT. CATEGORIES OF WORK- CHARGED STAFF
RECOMMENDED BY SIU, 1989

The work-charged staff is to be generally employed on operation and routine maintenance work. Maintenance work. Maintenance and repair work of specialized and complicated nature, which are normally not covered by the duties of the work-charged staff may be got done through Contractors.

2. The yardsticks are applicable throughout India.

Revised norms for Wireman/Assistant Wireman

	WM/AWM One per Point	Ratio of W/M to AWM	Ratio of AWM to Khallasis
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Residential Buildings

1.Type I to Type V
And above VIP/MP
Residences

3300

4:3

NON-residential Buildings

1. Monumental Buildings

2000

2. Multistoried Buildings

2000

3. Hospitals & Labs.

2000

4. Airports

2500

2:1

2:1

5. Schools/ Colleges, Single/
double storied Bldgs/ Hutments.

3300

6. Press Buildings & Workshop

2500

No.22/21/2006-EC.X
Directorate General of Works
Central Public Works Department

Nirman Bhawan ,New Delhi, dated:6.6.2006

Subject: Vetting of parawise comments of work-charged staff of CPWD –Instructions regarding.

At present, the paradise replies/ proposed counter Affidavits to be filed in respect of Industrial Disputes/ LCAs in Regional Labour Commissioner's office/ Central Govt. Industrial Tribunal-cum-Labour Courts, OAs in CAT or Writ petitions in High Courts by the work-charged staff are being vetted by the Directorate General of Works irrespective of the issues raised in such Applications/ Writ Petitions. All the establishment matters, including power of appointment of work-charged employees is vested with the concerned Superintending Engineers of respective Circles.

2. It has been decided that all IDs, LCAs, OAs and Writs except those relating to policy matters that are not provided for in Rules or instructions may be disposed of at the level of Additional Director Generals concerned of the respective Regions of CPWD/ E-in-C of PWD and need not be sent to the Directorate General of Works. It would be the responsibility of the ADGs concerned/ E-in-C to ensure proper and effective defence of the case, including the interests of the U.O.I. and also to ensure compliance of orders of the RLCs, CGIT-cum-Labour Courts , CATs or Hon'ble High Courts of filing of appeals thereon in time.

3. This issues with the approval of Director General of Works, CPWD, New Delhi.

Sd/-
(DIWAN CHAND)
Director of Administration

To

All ADGs Concerned.

Copy to:

All Chief Engineers/ Superintending Engineers/ Executive Engineers.

DUTIES ASSIGNED TO CATEGORIES ON W.C. ESTABLISHMENT

1. **Armature Winder:** Testing repairing. Re-winding assembling and overhauling of all types of electrical motors and fans, and other appliances including rebuilding of commutators.
2. **Beldars:** Miscellaneous unskilled jobs such as (i) earthwork (ii) carriage of materials and assisting artisans in their work. The employment of this category should be confined to works relating to constructions and maintenance of buildings and road.
3. **Bandhani:** Scaffold Binding and carriage of heavy materials.
4. **Electrician:** General supervision and guidance to the work of electrical including carrying out complicated maintenance works on HT and LT Electrical installations.
5. **Khallasi:** Unskilled work and general assistance to workmen on the electrical side.
6. **Caneman:** Canning and re-canning of sofa chairs dining chairs, easy chairs, sunny chairs, S.L. baskets ordinary chairs etc.
7. **Carpenter:** Construct and to put into position doors, window frames, stairs, trusses etc. attend to all types of repairs in wood work in buildings either inside or outside. Furniture repairs.
8. **Lift Mechanic:** Day to day routine maintenance and repair of Electrical Lifts. Periodical servicing and preventive maintenance work on electric Lifts as required.
9. **Mason :** To attend to repairs and/or renewals of all types of masonry work in general including plastering pointing, flooring, etc. in building or other structures.
10. **Mechanic :** Servicing repairs and overhaul adjustments to controls, opening, inspection and assembly of mechanical plants.
11. **Mechanic (AC & Refgn.):**-
 - (i) To attend to major repairs on Refrigerators, Coolers, Air Conditioning Units, small Air Conditioning and Cold Storage Plants other repairs and medium sized plants.
 - (ii) To rectify faults in small compressors, pumps of all sizes, motors, control switch gear and refrigeration control.
 - (iii) Will carry out lubrication of motors, testing of leaks and gas and oiled charging.
 - (iv) He will also do joining of refrigeration fitting and piping with soft solder.
 - (v) Will also work as Operator on large sized central mp conditioning and cold storage plants.
12. **Motor Lorry Driver:** Driving motor vehicles of all descriptions both light and heavy, including running repairs and adjustments.
13. **Operator (E & M):** Operation and maintenance of pumps, electric motors, internal combustion engine driven. Machinery generating sets and Tractors (light).
14. **Painter:** Paints woodwork, walls and iron work etc to required colour and shade, varnishing and polishing of quality wood work and furniture and/or electrical or other machines whenever necessary.

15. **Senior Mechanic** :To control and guide the work of a group of mechanics or fitters or other skilled personnel working in workshop, power houses etc. or repair and maintenance of specialised type of heavy construction equipment such as Bull Dozers, Graders, Asphaltic equipment etc. or repair and maintenance of diesel engine driven generating sets, heavy duty electric pump etc.

16. **Senior Mechanic (AC & Refgn.):** To carry out all repairs on installations of all types of Air-conditioning and refrigeration appliances, electrical appliances for air-conditioning and refrigeration works compressors- cum-motors, control switch gear and all kinds of refrigeration controls will attend lubrications, testing of leaks, will do joints with soft and hard solders.

17. **Senior Operator:** Operation and maintenance of plants like shovel loader, bull dozer, tractor (Heavy) and cranes etc.

18. **Turner:** General turning work on lathes of standard precision.

19. **Upholster:** Makes cushion for sofa sets, chairs, mattresses for beds. Applies springs, padding covers from materials such as cloth, silk, leather, rexine etc. to articles of furniture to cut and make exterior cover, tack webbing, padding conceal the edges of materials by beading etc. To stitch curtains of any design whether fixed on rails or running on rollers, frilled or plain, with or without lining.

20. **Welder:** Carrying out various welding works and operation with electric arc or oxyacetylene, running, maintenance of welding apparatus.

21. **Wireman:** Wiring and maintenance of important installations like Electric Motor, Lift etc.

a) Installation, maintenance and testing of all types of wiring in big and small building both residential and non-residential. Installation, maintenance and testing of main switch-boards, sub-distribution boards, electric motors and starters including their wiring, ear thing etc.

b) With wiring diagrams and instructions supplied he should install, maintain and test wiring in lift installations also where required.

c) Installation, repairs, maintenance and testing of ceiling tables and exhaust fans and heaters, give first Must aid (Resuscitation)at site where necessary.

22. **Mali Grade-III:** All garden operations including maintenance and care of permanent features of gardens such as lawns shrubs, hedges and trees including sweeping of leaves and litter etc. from the garden.

23. **Foreman (Mech.):** Supervise, instruct and guide Mechanics Senior Mechanics and other skilled mechanical staff in the workshop. He shall attend to complicated nature of work in connection with installation operation and maintenance of mechanical plants, such as trucks. Rollers, Jeeps. Concrete mixers, asphalt mixtures etc. and earth moving plants such as bull dozers, motor graders etc. he shall have to guide in setting jigs and fixtures, besides the different

processes and the machines to turn out different jobs and assess the time, raw materials required etc. He shall have to guide mechanical staff in repairs and overhauling of different types of mechanical plants.

24. Foreman (Electrical): Supervise, instruct and guide Electricians, Wiremen and all electrical staff on installations maintenance and operation of Elect. Works including lift power house, sub-station etc. He shall attend to complicated nature of work viz. setting and adjusting of controls for different types of L.T. & H.T. switch gear lift. Generating sets etc. He shall have to assess the materials and spare parts required for different types of elect. Installations and their repairs and the time required for different jobs.

25. Foreman (A.C & Refgn.): (i) To supervise and aid mechanics and other skilled staff on repairs to air-conditioning units and refrigerators and desert coolers in workshop and also to supervise and aid in their testing, commissioning and installation.

(ii) To attend to complicated nature of work i.e. setting adjustment and repairs of control alignment of compressors etc. and to attend to serious and frequent complaints.

(iii) To prepare report of jobs to be done by mechanics and other skilled staff and to enter them in a register.

(iv) To take independent charge of Central plants with reciprocating compressor.

(v) To carry out Senior Mechanics works independently.

26. Fitter: All kinds of fitting work involving filing, cutting and threading of ferrous or non-ferrous material.

27. Moulder: Preparation of cores for various castings of moulds of suit requirements operation and maintenance of foundry equipments.

28. Plumber: Assembly, fitting, installation, maintenance and repair of plumbing pipes, fixtures and fittings for water supply and for sanitary and drainage system.

29. Lineman: To erect, maintain, repair and test over-head lines low, medium pressure and upto 11 K.V.

30. Road Roller Drivers: Driving steam Engine or Diesel, power line, kerosene or petrol engine Driver Road Roller on various types of road and similar work including running repairs and adjustments.

31. Boilerman: Operation and Maintenance of Steam Boiler. Maintenance of boiler plant working at a steam pressure exceeding 100 lbs.

32. **Blacksmith:** To shape, handle and mould wrought iron or mild steel to required sizes and shapes; to fire-weld iron or mild steel pieces and to attend to repairs/and/or renewals of iron monger and articles made of mild steel etc. to greater degree of precision.

33. **Packer:** Packing of stores for dispatch or for storage,

34. **Mate:** Supervision over unskilled workmen.

35. **Mali Gd. II:** Mowing of lawns, cutting of shrubs and hedges and removal of clippings, maintenance and care of permanent features of gardens such as lawns, shrubs, hedges and trees including sweeping of leaves and litter etc. from the garden.