



INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN : NEW DELHI

F.No. 21-2/2009-Cdn.

Dated, the 18 February, 2010

To

All Directors/Project Directors of the Institutes/National Research
Centres/Bureaux/Project Directors of ICAR

Sub.: Engagement of casual workers and award of 'work contracts' -
reg.

Sir,

I am to invite reference to Council's circular No. 24(15)/93-Cdn. dated 23.11.1994 vide which the DoPT scheme called 'casual labourers (grant of temporary status and regularisation) scheme of Govt. of India 1993' was adopted and forwarded for implementation w.e.f. 1.9.93. The institutes were advised to accord temporary status to eligible casual labourers in accordance with the scheme. In view of the problems arising out of engagement of casual labourers instructions were issued from time to time not to engage casual labourers but to award 'work contracts'. It appears that at some of the institutes labour has been employed through 'labour contractors' instead of awarding 'work contracts' leading to unnecessary litigation and adverse rulings against the ICAR.

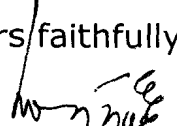
2. It may be recalled that in the course of discussion regarding employers' perspective of labour laws in the Directors' Conference held on 16.7.09, the distinction between employing labour through contractor and awarding work contract was discussed in detail by the Chief Labour Commissioner. Further, on the basis of outcome of certain labour related cases, instructions were issued vide Council's letter No. 11(4)/08-Law dated 1.9.2009 emphasising the importance of observance of 'due process' and compliance of statutory provisions in labour related matters.

3. In this connection, reference is invited to Council's circular No. 21(8)/86-Cdn.I dated 22.1.1987 vide which clear instructions were given to give 'work contracts' and not to engage casual labour over and above the existing ones. The casual workers whose temporary

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status is recognised under the DoPT scheme of 1993 were eligible for "regularisation" as such, under para 8 of the scheme. It is reiterated that in addition to the existing temporary status casual workers, no casual worker may be engaged under any circumstances either directly or through contractor. The existing instructions about 'work contracts' may be followed scrupulously. Non-compliance will be viewed seriously. Further, information about casual labourers granted 'Regularisation' under 1993 scheme may be forwarded in proforma as per Annexure I to the concerned DDG in the SMD by 31st March, 2010. Naturally, it is assumed that in view of the aforesaid instructions, no casual labour has been engaged after 1993 circular of DoPT was endorsed vide ICAR letter No. 24(15)/93-Cdn. dated 23.11.1994.

Yours/faithfully,


(RAJIV MEHRISHI)
Addl. Secretary, DARE & Secretary, ICAR

Copy to :

1. SPPS to Secretary, DARE & DG, ICAR
2. PPS to AS, DARE & Secretary, ICAR
3. PS to AS & FA, DARE
4. SA to Chairman, ASRB
5. All DDGs
6. ND, NAIP
7. PD, DIPA
8. All Directors / Deputy Secretaries / Secretary, ASRB / Under Secretaries at ICAR Hqrs.
9. Shri Hans Raj, Information System Officer, (DIPA) KAB I for putting in the ICAR Web-Site.
10. All officers/sections at ICAR Hq./KAB I & II
11. Cdn. Section for giving Index Number

Annexure I

Particulars of Temporary Status Casual Workers as on 31.12.09

Total No. of casual workers	No. of casual workers accorded temporary status in 1993	Of the casual workers in column 2 (with temporary status) who have gone off the rolls on attaining the age of 60 years or otherwise	Of the casual workers in column 2 (with temporary status) who have been regularised under para 8 of the scheme upto 31.12.09	Balance no. of casual workers with temporary status yet to be regularised
1	2	3	4	5