

**GOVERNMENT OF INDIA
FINANCE
LOK SABHA**

UNSTARRED QUESTION NO:1070
ANSWERED ON:22.07.2016
Regularization of Casual Workers
Baker Shri George

Will the Minister of FINANCE be pleased to state:

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE
LOK SABHA
UNSTARRED QUESTION NO. 1070
TO BE ANSWERED ON FRIDAY 22ND JULY, 2016
ASHADHA 31, 1938 (SAKA)
Regularization of Casual Workers
1070. SHRI GEORGE BAKER :

Will the Minister of FINANCE be pleased to state :

- (a) the number of casual workers working under various capacity in the Department of Central Board of Excise and Customs under various Commissionerates in the country, State/UT-wise :
- (b) whether the Government is formulating any policy to regularise these casual workers who have been working for the last 10 years or more against sanctioned vacant posts :
- (c) if so, the details thereof and if not, the reasons therefor; and
- (d) the remedial measures taken by the Government to regularise these casual workers in near future?

Answer

ANSWER
MINISTER OF STATE IN THE MINISTRY OF FINANCE
(SHRI SANTOSH KUMAR GANGWAR)

(a) Information is being collected and will be laid on the Table of the House.

(b) to (d) Hon'ble Supreme Court has in the Umadevi case (Appeal (civil) 3595-3612 of 1999) disallowed regularisation of any person not recruited after following proper procedure as per recruitment rules.

Hon'ble Supreme Court had in Umadevi judgement directed as follows:

"Union of India, the State Governments and their instrumentalities should take steps to regularize as a one-time measure, the services of such irregularly appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that required to be filled up, in cases where temporary employees or daily wagers are being now employed."

This was a one-time measure and does not apply to workers engaged for more than 10 years in other cases.

Regularisation of casual workers engaged under the Government can be done only as per the provisions of the Scheme of 1993 in respect of those casual workers who have been granted temporary status on 01.09.1993.
