

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(IN GENERAL SERVICES-II BRANCH)
No. 16/7/2015-1GSII

Dated Chandigarh the 06th April, 2015

To

1. All the Administrative Secretaries to Government, Haryana.
2. All the Heads of Departments, Haryana.
3. The Divisional Commissioners, Ambala/Hisar/Rohtak and Gurgaon.
4. The Registrar, Punjab & Haryana High Court, Chandigarh.
5. All the Managing Directors/Chief Administrators of Boards/Corporations/Public Undertakings in Haryana.
6. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Subject:- Policy for engaging/outsourcing of service/activities.

Sir/Madam,

I am directed to invite your kind attention to the subject cited above and to say that in continuation of circular letter No. 43/5/2001-1GSI, dated 16.2.2009, 3.6.2014 and 12.8.2014 the Government, after careful consideration of the matter, has decided to issue a consolidated set of instructions, as under:-

PART-I POLICY FOR OUTSOURCING OF SERVICES/ACTIVITIES

The Government of Haryana proposes to strengthen the delivery of services to the people. Keeping in view the emergence of new areas in the field of effective governance and due to technological advancement, it is endeavored to outsource services/activities that are of an auxiliary or supporting nature to its functioning. It has been felt by the Government that a policy needs to be enunciated to provide a framework for outsourcing of such services/activities as well as provide guidelines on the subject. Accordingly, a policy which aims to provide an enabling framework to approach outsourcing of services/activities wherever required for better and efficient delivery of services is framed/amended as under:-

- i) Services/activities may be outsourced as and when required partly or completely by the departments, where posts have not been sanctioned, for instance, cleaning of premises, horticultural work, housekeeping services, maintenance of buildings, transport

services, courier services, information and communication technology related services, highly technical and professional services etc. The above services/activities are only illustrative and not exhaustive. The departments can apply this policy for outsourcing other kind of services on the basis of their need and span of services/activities.

- ii) The nature of services/activities required to be outsourced should be specified and clearly defined in the tender notice as well as in the contract document, instead of mentioning the number of personnel required to perform the services/activities.
- iii) The departments shall ensure that there are no regular sanctioned posts in that unit of office for performing the outsourced services/activities.
- iv) The identification of the services/activities to be outsourced shall be done by the Head of Department. The services/activities to be outsourced can be identified for the department as a whole or a specific unit of the department. In either case, the Head of Department will ensure that no regular sanctioned posts are available in that office to perform the services/activities.
- v) Once the services/activities to be outsourced are identified, the minimum qualifying criteria, the deliverables (accepted service levels), performance monitoring standards and liabilities in case of non-performance shall be unambiguously determined and approved by the Head of Department.
- vi) The tender form and the contract document shall be finalized with the approval of the Head of Department depending upon the existing delegation of powers in the department. Open tenders can then be invited and decided in a transparent manner through a competitive bidding process. A Model Draft Service Contract Document is placed at Annexure 'A' for illustration.
- vii) In case of the Mini-Secretariats in the districts where several offices of different government departments are located under one roof, the Deputy Commissioner shall identify the services/activities to be outsourced for the building as a whole and the expenditure on such outsourcing shall be borne by the Deputy Commissioner through the budget available for the purpose.
- viii) Wherever contract for services is awarded on the basis of competitive transparent bidding process no approval of Finance

department will be required, if the expenditure is within the sanctioned budget provision.

- ix) It shall be the responsibility of the department to ensure that the service providing agency would pay minimum wages to the persons appointed against un-skilled, semi-skilled, skilled and highly skilled posts as under:-

Category of post	Minimum of wages
Un-skilled: This category includes such jobs which do not require any specific skill or experience such as manual laborer; persons working as helpers to assist another person in performance of any task; Chowkidars, Security guards without weapon; Beldars; Process servers; Sewadars; Malies etc.	Rs. 8100/- p.m. or Rs. 311.53 per day
Semi-skilled: This category includes the jobs for which prescribed qualifications is less than Matriculation but require some specified work experience or a certificate/diploma course of one year or less duration. This category include the jobs like Light Vehicle Drivers; Pump Operators; Masons; Carpenters; Electricians; Plumbers etc.	Rs. 9000/- p.m. or Rs. 346.15 per day
Skilled: It includes those jobs for which the prescribed qualifications is Matriculation and above or those jobs which require the qualification of a certificate/diploma course of more than one year but less than two years duration or some specialized experience. Such jobs include Heavy Vehicle Drivers; Guards with weapon; Junior Engineers; Draftsmen; Cooks; JBT Teachers; Steno-typists; Stenographers; Clerks (Data Entry Operator', 'Office Associates', 'Clerk-cum-Computer Operator', 'Clerk-cum-Typist' etc.); Personal Assistants; Private Secretaries etc.	Rs. 9900/- p.m. or Rs. 380.76 per day
Highly Skilled: This category consists of the job requiring qualifications of Graduation or certificate/diploma of more than two years duration.	Rs. 11000/- p.m. or Rs. 423.07 per day

The Service Providing Agency will make payment of wages as prescribed plus other benefits like ESI,EPF etc per month to the above categories of workers appointed in the State Government Departments as well as its Boards and Corporations and Local Bodies by way of account payee cheque/bank draft/pay order. Further, the agency will increase the wages by 5% every year in

case the services of such workers continue to be used beyond the period of one year. In case of any default in this regard or any other deficiency/default in providing service, the department shall terminate the agreement by giving fifteen days' notice. Policy guidelines issued vide No.43/5/2001-3GSII, dated 20.2.2014 may also be kept in view.

- x) Wherever required, the department(s) would move for adequate provisions in their budget for outsourcing the services/activities under the appropriate head.

*Necessary budget provision may be got made under the object head '69-Contractual Service' in their respective major Head by the Department(s) in due course of time.

- xi) All the expenses for outsourcing of services shall be restricted within the sanctioned budget of the department. No separate allocations shall be made on this account. **It is made clear that this policy is meant only for outsourcing such services/activities for which no sanctioned post(s) are available.**

PART-II ENGAGEMENT OF PERSONS ON CONTRACT BASIS WHERE REGULAR POSTS EXIST

- i) In emergent cases involving public interest, where the sanctioned vacant posts of Group C and D categories exist, the person(s) can be engaged by sending requisition to the Employment Exchange and by advertisement in the newspapers, purely on contract basis, initially for a period not exceeding one year or till the regular selected candidates are appointed, whichever is earlier, on 50% of the initial pay (pay in Pay Band +Grade Pay+ DA as admissible from time to time) of fresh entrant regular employee after 01.01.2006 subject to minimum of Rs. 8100/- per month or as fixed by the State Government (in General Administration Department) from time to time.
- ii) In doing so, it should, however, be clearly stipulated in the advertisement as well as in the offer letter that such engagement will be purely contractual in nature and can be terminated at any time without assigning any reason or prior notice and the person so engaged shall have no right to claim either regularization or any other benefit of such engagement for any purpose in the office in

which they are so engaged or in any other office in the State Government.

- iii) For this, no approval of Finance Department is required. If, however, higher wages are proposed to be paid, then approval of Finance department will have to be obtained by giving proper justification.
- iv) During the period of contractual engagement, the department shall, however, endeavour to fill up the vacant posts by regular mode of recruitment, as prescribed in the Departmental Service Rules.
- v) If for any reason, the process of recruitment of regular candidate(s) cannot be completed within the period of one year, then approval of Finance Department shall be obtained giving full justification for engagement of person(s) already engaged for a further period of one year or till regular selected candidates are appointed, whichever is earlier. In this regard, proposal should be sent to concerned Branch of Finance Department for consideration.
- vi) Whenever any person is engaged under this policy, the department should enter into an agreement, signed by both the parties, which should unambiguously state that it is an engagement for a fixed term and shall automatically cease on the expiry of the term without providing any claim to the person so engaged to any regularization of service or any consequential benefits. A draft of such model agreement is appended at Annexure -B.
- vii) In case of posts of a highly technical or professional nature, of any category, whether for reasons of unavailability for regular appointment or for reasons of continuous updating of knowledge or technology, if it is decided to fill up the post on contractual basis, a speaking order will be passed by the Head of Department on the file. Such term engagement will be at Deputy Commissioner's rates whichever applicable, under the Minimum Wages Act, or up to minimum basic pay of the pay scale prescribed for that post, plus allowances, as the case may be, for a period not exceeding one year, for which approval of Finance Department will not be required. If, however, higher pay or wages are proposed to be paid during the period of such engagement, then approval of the Finance Department shall be obtained giving full justifications.

2. Other terms and conditions as issued with policy dated 16.2.2009 (except point 2 of annexure-B of Service Agreement) shall remain unchanged. Point 2 of Annexure-B (Service Agreement) may be read as

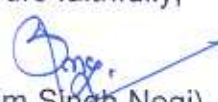
"The person shall be engaged for a fixed monthly remuneration as fixed by the State Government from time to time".

3. The guidelines for compliance of Labour Laws issued by the Government vide letter No. 43/5/2001-3GS-II, dated 20.2.2014 should be followed strictly while engaging person(s) under Part-I of the Policy.

4. This may please be brought to the notice of all concerned for strict compliance in letter and spirit and any violation will be viewed seriously by the Government.

5. This issues with the concurrence of Finance Department conveyed vide their U.O.No.05/3/2008-1B&C, dated 30.3.2015.

Yours faithfully,


(Bhim Singh Negi)

 Deputy Secretary to Government, Haryana,
Protocol Department.

Endst. No. 16/7/2015-1GSII

Dated 06.4.2015

A copy each is forwarded to the following for information and necessary action:-

1. All the Registrars of Universities in the State of Haryana.
2. The MD/HARTRON.
3. The State Informatics Officer (NIC), Haryana Civil Secretariat, Chandigarh for uploading on the websites of the State Government and Chief Secretary's office as well. He is also requested to send this letter by e-mail to all concerned.


(Bhim Singh Negi)

 Deputy Secretary to Government, Haryana,
Protocol Department.