

No. 23/5/2001-2G.S.III

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments in Haryana
2. Commissioners Rohtak, Gurgaon, Hisar and Ambala Division.
3. All Deputy Commissioners in Haryana and
4. Managing Directors/Chief Executive Officers of all Boards, Corporations, Companies and Cooperative Institutions in Haryana.

Dated, Chandigarh, the 06.02.2001.

Subject: Guidelines regarding surplus and retrenched employees of State Public Sector and Cooperative Sector Undertakings.

Sir,

I am directed to invite your attention to the subject noted above and to say that liberalisation and globalisation has led to restructuring/reform of State owned enterprises around the world. The economic scenario has completely changed over the last 10-12 years and the Govt. of India introduced reform in Central Public Sector Undertakings (PSUs) in the early nineties in line with the changing world order and economic environment. The current policy of Govt. of India envisages divesting of majority of Govt. equity from most of the PSUs excepting those operating in strategic areas.

2. The State Government constituted a Cabinet Sub Committee in September, 1996 to look into the working of various State Public Sector and Cooperative Sector Undertakings. The Sub Committee has held number of meetings since then and has, interalia, considered various issues relating to the employees arising due to rightsizing/restructuring of some

Departments/Public Enterprises has increased considerably over the years and the major component of revenue expenditure is on establishment which accounted for 59.2% of the revenue receipts during 1999-2000. In order to curtail the non plan revenue expenditure, the State Government has already imposed a complete ban on fresh recruitment in its various Departments and Public Enterprises vide letter No. 5/16/2000-1 B&C, dated 16.3.2000. The Govt. of Haryana has decided to close down some State Public Enterprises and to rationalise the staff strength in some other enterprises. Similarly, the Govt. has also constituted a Committee for revision of work load norms of Engineering Departments and consequent review of staff strength. Similarly the working of Education Department and some other departments is also being reviewed.

4. Due to restructuring and rationalisation in various Departments of the Government as well as Public Sector and Cooperative Sector Undertakings, the availability of posts in these organisations is going to be reduced considerably. Consequently the scope of absorption of employees of Public Sector and Cooperative Sector Undertakings who may be rendered surplus due to rightsizing/restructuring or the employees who are to be retrenched due to closure of unviable organizations in other Government Departments/Public Enterprises is very limited.

5. Keeping these facts in view, the State Government after careful consideration has taken following decisions :-

1. If there is any surplus employees in any State Public Sector and Cooperative Sector Undertaking, he/she should be dealt with in accordance with the provisions of the Industrial Disputes Act, 1947 if applicable for retrenchment as well as payment of retrenchment compensation.

- ii. In case of employees to whom the Industrial Disputes Act, 1947 does not apply, their retrenchment on being declared surplus will be in accordance with the terms and conditions of their employment.
- iii. In view of the role of the Government as a welfare State, on humanitarian considerations and as a special concession, the employees of State Public Sector and Cooperative Sector Undertakings who are retrenched would be allowed relaxation in age for applying for posts to be filled up by Govt. Departments/Public Enterprises upto a maximum of 50 years for all categories of employees subject to their fulfilling the qualifications prescribed for the relevant post. Due weightage would be given for their past experience if relevant for the post being filled up at the time of selection by the recruiting organization.
- iv. In addition to above, a roster of names of the retrenched employees will be maintained by the Employment Department. The State Governments/Enterprises will intimate the Employment Department before filling up any vacant post in addition to inviting applications in accordance with the prescribed procedure. The Employment Department will sponsor all the names out of the roster which fulfil prescribed qualifications and experience for the requisitioned post. Sponsoring of names by the Employment Department will however not confer any legal right on the person for appointment against the requisitioned post.

These instructions will supersede instructions issued by Chief Secretary, Haryana vide letter No. 23/10/88-2G.S.III, dated 16/19.12.1988, No. 23/6/97-2G.S.III, dated 6.10.1998 and dated 17.6.1999 and the instructions issued by Registrar, Cooperative Societies, Haryana vide letter No. 21/5/94-Gen.II/11893-903, dated 5.5.1995 and all other instructions pertaining to absorption of surplus/retrenched employees of State Public

Sector and Cooperative Sector Undertakings.

The receipt of this communication may kindly be acknowledged.

Yours faithfully,

[Signature]
Joint Secretary General Administration
for Chief Secretary to Government Haryana.

[Scribbles]
A copy is forwarded to All the Financial Commissioners & Administrative Secretaries to Government Haryana for information and necessary action.

[Signature]
Joint Secretary General Administration
for Chief Secretary to Government Haryana.

[Signature]
6/2/21

- To
- 1- All the Financial Commissioners in Haryana.
 - 2- All the Administrative Secretaries to Govt. Haryana.

U.O.No. 23/5/2001-2GSIH Dated 06-02-2001

Endst. No. 23/5/2001-2GSIH, Dated 06-02-2001

A copy is forwarded to Member Secretary, Haryana Bureau of Public Enterprises for information and necessary action.

[Signature]
Joint Secretary General Administration
for Chief Secretary to Government Haryana.

[Signature]
6/2/21