

No. 6/24/2007-1GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.

Dated, Chandigarh, the 27th April, 2007

Subject: - Regarding maintaining the muster rolls meticulously and regularly under section 25- D of the Act.

::

Sir/Madam,

I am directed to refer to address you on the subject noted above and to say that the Hon'ble Punjab and Haryana High Court in its judgement dated 13.7.2006, in CWP NO. 9570 of 2006 Haryana State V/s Presiding officer, ID Tribunal cum Labour Court, Hisar and Smt. Suresh, has interalia passed the following directions:-

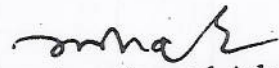
"Before we part with this Judgment, we have seen on a number of occasions that such like petitions are being filed by various departments where the daily wagers are taken into employment and that the departments are obligated under Section 25 D of the Act for maintaining the muster rolls meticulously and regularly by obtaining the signature of the workwoman/ workman at the requisite place in the muster roll for having received the remuneration accordingly. It is unfortunate that in such like cases, the records are not being produced and the persons, who may have been given the back door entries, are sought to be regularized through the process of the Court. In the first instance seeking reference from the appropriate government and thereafter by not producing the relevant record i.e. "Muster roll" for the reasons best known to the authorities, who are obligated to maintain such records and then suffer the adverse inference drawn against them. It is obvious that the persons, who are at the helms of affairs in these departments, perhaps are not aware of such situations or they appear to have closed their eyes in this regard. We deprecate such practices and the callous attitude for not producing the statutory document required to be maintained under the Act. The litigants (including the State) ought

down and the statutory provisions provided. Such use and abuse ought to be avoided and the person who is responsible in this regard has to be proceeded against".

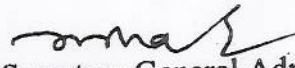
2. Having regard to the position indicated in the judgement mentioned above, it is essential that where ever daily wagers, particularly in the Engineering Departments, have been taken in employment, the departments as per requirement of Section 25 D of the Industrial Disputes Act, 1947, must maintain the muster rolls meticulously and regularly and also obtain the signatures of the workwomen/ workmen in the muster roll(s) for having received the remuneration.

3. It is requested that these instructions should be complied with rigidly and be brought to the notice of all the authorities concerned for compliance by them. It may be added that in the event of failure to follow these instructions, the matter will be viewed seriously by the Government.

Yours faithfully,


Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.


Deputy Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana

U.O.No. 6/24/2007-1GSI

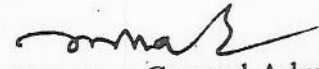
Dated Chandigarh, the 27-4-2007

Endst.No.6/24/2007-1GSI

Dated, Chandigarh the 27-4-2007

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

1. The Managing Directors/ Chief Executives/Member Secretaries of all Boards and Corporations in Haryana.
- 2.. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa, Bhagat Phool Singh Mahila Vishav Vidayala, Khanpur Kalan, Sonapat.


Deputy Secretary General Administration,