



Case No. : WP(C)/316/2023

For the Respondent(s) : Mr. Moa Imchen, Sr. Govt. Advocate

ORDER

Heard Mr. Moa Jamir, the learned counsel appearing on behalf of the petitioner. Mr. Moa Imchen, the learned Senior

Government Advocate appears on behalf of the respondent Nos. 1 to 3.

2. The petitioner herein is aggrieved by the non-consideration of her case for regularization and non-grant of the minimum regular pay scale in spite of having served for 31 (thirty one) years since her initial date of appointment as fixed pay labour. It is seen from the reliefs sought for in the instant writ petition that the petitioner seeks a direction from this Court that the petitioner service as fixed pay labour be considered in terms with the Office Memorandum dated 17.03.2015 and the Office Memorandum dated 22.09.2004. Further to that, the petitioner has also sought for a direction for pay of the minimum regular pay scale in terms with regular latest Revision of Pay with arrears thereon.

3. This Court finds it very pertinent to take note of that the Government of Nagaland had issued a Notification bearing No. AR/LEGAL-5/8/2024/40 dated 05.03.2025 whereby Contingency, Fixed and Wage paid employees were brought within the fold of Work-Charged and Casual Employees and was held that they would also be entitled to the benefit of the scheme, more particularly, the Office Memorandum dated 17.03.2015. Taking into account the importance of the said Notification, the same is reproduced herein under:

**“GOVERNMENT OF NAGALAND
PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT
(ADMINISTRATIVE REFORMS BRANCH)
NAGALAND: KOHIMA**

NOTIFICATION

Sub: Inclusion of Contingency, Fixed and Wage paid employees as Casual Employees under the Nagaland Work-charged and Casual Employees Regulation Act, 2001.

In exercise of powers conferred by sub-section 4 (b) & (c) of Chapter III of the Nagaland Work-charged and Casual employees Regulation Act, 2001, the State Government of Nagaland hereby notifies that all Contingency, Fixed and Wage paid employees appointed on or before the 6th June, 2016 shall be deemed to be Casual employees and shall henceforth come under the Work Charged and Casual Employees Commission and shall be eligible for the Schemes and provisions so notified under the provisions of the Act.

A verification of such employees will be conducted on the direction of the Work Charged and Casual Employees Commission.

The employees so verified shall be eligible for regularization under clause 1 (i) and (iii) of the Scheme for regularization and absorption of Work-charged and Casual Employees and Revision of Wages notified vide OM NO. AR-3/GEN-201/2009 dated 17th March, 2015.

This is issued with approval of the Cabinet vide No. CAB-1/14/2023 dated 25th February, 2025.

Sd/-Dr J. Alam, IAS

Chief Secretary to the Govt. of Nagaland

No. AR/LEGAL-5/8/2024/40

Dated: Kohima, the 5th March'2025"

4. This Court further finds it relevant to take note of that another Office Memorandum was issued bearing No. AR/3/GEN-67/2001/39 dated 05.03.2025 whereby all Work-Charged and Casual Employees in all the Departments, whose

names have been duly verified by the District Level Verification Committee and registered in the PIMS, receiving fixed pay shall be granted the scale of pay as per the Revision of Pay, 2015 w.e.f from 01.04.2025. The said Office Memorandum also being relevant is reproduced herein under:

**“GOVERNMENT OF NAGALAND
PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT
(ADMINISTRATIVE REFORMS BRANCH)
NAGALAND:KOHIMA**

No. AR-3/GEN-67/2001

Dated Kohima, the 5th March'2025

OFFICE MEMORANDUM

Sub: Conversion of wages of Work-Charged & Casual Employees to scale pay as per Revision of Pay (ROP) 2015.

On the recommendation of the Nagaland Work-Charged and Casual Employees commission and in pursuance of the Cabinet's decision conveyed vide letter No. CAB-1/14/2023 dated 25th February 2025, all Work-Charged and Casual employees in all the Departments, whose names have been duly verified by the District Level Verification Committee and registered in PIMS, receiving fixed pay shall be granted scale of pay as per the Revision of Pay, 2015 with effect from 01.04.2025.

Therefore, all Departments having Work-Charged and Casual employees are directed to expedite the conversion accordingly.

Sd/-Dr J. Alam, IAS

Chief Secretary to the Govt. of Nagaland

No. AR-3/GEN-67/2001/39

Dated Kohima, the 5th March'2025"

5. Taking into account the Notification as well as the Office Memorandum both dated 05.03.2025, the contents of which

have been already quoted herein above, it is the opinion of this Court that the instant writ petition can be disposed of thereby directing the Respondent Authorities to consider the case of the petitioner in terms with the said Notification as well as the Office Memorandum dated 05.03.2025 quoted herein above.

6. Accordingly the instant writ petition stands disposed of thereby directing the Respondent Authorities, more particularly, respondent No. 3 to take effective steps for the purpose of consideration of the case of the petitioner in terms with the above quoted Notification as well as the Office Memorandum dated 05.03.2025 and the same be done preferably within 4 (four) months from the date a certified copy of the instant order is served upon the respondent No. 3.

7. With the above observations and directions, the instant petition stands disposed of.

JUDGE

Comparing Assistant