

No:EDN-H(2)B(2)9242/2023---CC-PTA  
Directorate of Elementary Education,  
Himachal Pradesh Lal Pani Shimla-01.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

27. NOV 2024

शिमला-1

Dated Shimla-171001 November, 2024

**ORDER**

Whereas, CWP No. 9242/2023 titled as Hema Devi & others Vs State of H.P. & ors was filed by the petitioners in the Hon'ble High Court of H.P. and the Hon'ble High Court of H.P. on dated 08.05.2024 has ordered as under:-

*"2. Accordingly, the petition is disposed of without making any comments on the merits of the case of the petitioners. It is directed that respondents shall consider the case of the petitioners in light of judgment passed by Division Bench of this Court in Yashwant Singh's case (supra). Within eight weeks from today and will decide the same by passing a speaking order. In case, the petitioners are found similarly situated as petitioners in Yashwant Singh's case (supra), they shall also be granted the same benefits as granted to petitioners in above referred case.*

*3. Pending miscellaneous application(s), if any, also stand disposed of."*

Whereas, CWP No. 342/2021 titled as Yashwant Singh & others Vs State of H.P. & others alongwith other similar connected CWPs was listed before the Hon'ble High Court of H.P. on dated 31.08.2022 when after hearing the matter the Hon'ble High Court of H.P. has passed the following orders:-

*"In view of above discussion, the petitions are allowed. Respondents are directed to regularize the petitioners w.e.f. the due date i.e. 01.04.2018 Needless to say that he consequential benefits shall also follow. The petitions are accordingly disposed of so also the miscellaneous pending application(s), if any."*

Whereas, the petitioners in CWP No. 342/2021 titled as Yashwant Singh Vs State of H.P. & Ors and other clubbed matters were also initially engaged as TGT (Arts/NM/Med.) as per the PTA (GIA) Policy, 2006 during the year 2006. Thereafter, the services of the petitioners were taken over on contract basis as per Government notification dated 16.08.2013 in the year of 2015. The services of the petitioner could not be regularized in the year of 2018 as such the matter of appointment of PTA GIA teachers was subjudice in the Hon'ble Supreme Court of India. Later on, the services of the petitioners were regularized with immediate effect vide this Directorate office order No. EDN-H(2)B(2)-36/2020-PTA regularisation dated 29.08.2020 & 01.09.2020 as per approval conveyed by the Government vide letter No. EDN-A-Kha(7)06/2012-Loose-I dated 05.08.2020.

Whereas, the services of those teachers who were appointed on contract basis as TGTs in the year of 2015 through direct recruitment and completed 03 years of continuous services on contract basis as on 31.03.2018 were regularized vide office order No. EDN-H(2)B(2)-34/2017-Regularisation (Contract) dated 14.06.2018.

Whereas, in compliance to the order of the Hon'ble High Court of H.P. passed in Yashwant Singh's case, the Government vide letter No. EDUA-E005/4/2023-EDU-A dated 02.09.2023 & 04.12.2023 conveyed the approval to regularize the services of the petitioners in CWP No. 342/2021 titled as Yashwant Singh Vs State of H.P. and clubbed petitions (in this CWP and in Execution petition No. 86/2023) as well as other similarly situated petitioners in other CWPs w.e.f. 01.04.2018. Accordingly, the Department has regularized the services of the petitioners w.e.f. 01.04.2018 vide office order No.EDN-H(2)B(2)342/2021---CC-PTA dated 08.12.2023 and 11.12.2023.

Whereas, after thorough examination of the cases of present petitioners it is found that the petitioners were also initially engaged as TGT (Arts/NM) as per the PTA (GIA) Policy, 2006 during the year 2006. Thereafter, the services of the petitioners were taken over on contract basis as per Government notification dated 16.08.2013 in the year of 2015. The services of the petitioners were regularized with immediate effect vide this Directorate office order No. EDN-H(2)B(2)-36/2020-PTA regularisation dated 29.08.2020 as per approval conveyed by the Government vide letter No. EDN-A-Kha(7)06/2012-Loose-I dated 05.08.2020.

In view of above facts and circumstances, the cases of the petitioners are similarly situated to Yashwant Singh's case, therefore, in compliance to the order of the Hon'ble High Court of H.P. passed in CWP No. 342/2021 dated 31.08.2022 and further approval conveyed by the Govt. vide letter dated 02-09-2023 & 04.12.2023, the petitioners (TGTs) whose services were regularized vide office order No. EDN-H(2)B(2)-36/2020-PTA regularisation dated 29.08.2020 & 01.09.2020 are hereby considered deemed regularized w.e.f. 01.04.2018 with all consequential benefits:-

Sr. No.	Name and address of the petitioner (Sh./Smt./Miss/Kumari)	Subject	CWP No.
1	Meena Mehta W/o Sh. Ajay Mehta R/o Pratham Niwas, Top Floor, Near Bawari, Opposite Sector-3, New Shimla H.P. age about 42 years, presently working as TGT Arts at GSSS Chhota Shimla H.P.	Arts	9242/2023
2	Poonam Kumari D/o Sh. Amar Singh Thakur, R/o Village Nambira P/O Mangoo Tehsil Arki Distt. Solan H.P. age about 41 years, presently working as TGT at GMS Koon U/C GSSS Mangoo H.P.	NM.	9242/2023
3	Santosh Kumari W/o Sh. Rakesh Kumar, R/o Village Lohri P/O Mehla Tehsil and Distt. Chamba H.P. age about 44 years, presently working as TGT Arts at GMS Manhota U/C GMSSS Mehla H.P.	Arts	9242/2023

The concerned Principal/Headmaster/Incharge of GSSS/GHS/GMS of H.P. is further directed that consequential benefits regarding monetary benefits to the petitioners shall be released as per the Hon'ble Court orders in Ex. Pet. No. 86/2023 dated

13.09.2023 i.e. 40% of arrears payable according to pre-revised scale may be paid immediately and remaining 60% in two equal annual installments may be paid by 31.12.2024 and 31.12.2025 by calculating difference of pay of the petitioners on the basis of pre-revised scale for the period from 01.04.2018 till the earlier date of regularization by the State. It is further directed that arrear on the basis of revision of pay scale shall be paid, as per instructions issued by the Finance Department H.P. vide letter No. Fin-E-I-C(17)-6/08 dated 07.01.2012 & 31.07.2024 and No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022.

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Director Elementary Education,  
Himachal Pradesh, Lalpani,  
Shimla-1  
November, 2024  
27 NOV 2024  
प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)  
शिमला-1

EndstNo:Even

Dated:-

Copy forwarded for information and n/a to:-

1. The Secretary, (Education) to the Govt. of H.P. w.r.t. letter No. EDUA-E005/4/2023-EDU-A dated 02.09.2023 & 04.12.2023.
2. The District Attorney, Directorate of Elementary Education H.P. Shimla-01 w.r.t. above referred CWPs.
3. All the Dy. Director of Higher/Elementary Education Himachal Pradesh.
4. The concerned Principal/Headmaster/Incharge of the concerned GSSS/GHS/GMS where petitioner is presently working with the direction to release the arrear as per above instruction. Further, it may also be ensured that the petitioner is a PTA GIA provided teacher. **In case the petitioner is not a PTA GIA provided teacher than such cases may be referred back to this Directorate.**
5. In Charge, IT cell (Internal), Directorate of Elementary Education HP with the direction to upload in the Departmental website.
6. The Dealing Assistant Seniority Seat/Pay Fixation Seat, TGTs.
7. The concerned petitioner.
8. Guard file.

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Director Elementary Education,  
Himachal Pradesh, Lalpani,  
Shimla-1

