

Dated : Shimla -171001

July,2025

**OFFICE ORDER**

Whereas, Government of Himachal Pradesh has taken policy decision on 12.12.2003 that the mode of recruitment by contract appointment may also be prescribed in addition to other mode of recruitment in the Recruitment and Promotion Rules. The contract provision was inserted in R&P Rules of Lecturer cadre on 11.06.2009. Accordingly while giving approval vide letter No.EDN-A-Ka(1)-8/2007-Part dated 23.12.2009 to take over teaching and Non-Teaching staff of erstwhile privately managed college Haripur Guler on contract basis w.e.f. 20.04.2007 i.e. date of taking over of college . The detail of Lecturer (School-New) is as under:-

Sr. No.	Name of Lecturer (School-New)	Subject	Present place of posting of GSSS	DOA	The benefit as regular Lecturer (School-New) allowed.
1	2	3	4	5	6
1	Karam Chand	English	Guler(KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
2.	Devender Singh Rana	English	Rakkar(D) (KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
3	Sudesh Kumar Sharma	History	Nagrota Surian (KGR)	03.04.2010	Date of regularization i.e. 23.09.2015 not from 20.04.2007.
4	Pawan Kumar	Mathematics	Dehra (KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
5	Pushpinder Singh Thakur	Economics	Tabo(L&S)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
6	Savita Kumari	Economics	(G)Dehra (KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
7	Meena Kumari	Political Science.	Haripur (KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.
8	Madhu Awasthi	Commerce	Haripur (KGR)	03.04.2010	Date of regularization i.e. 26.02.2015 not from 20.04.2007.

And whereas, these incumbents filed court cases with the contention that at the time of taking over their services i.e. 20.04.2007 contract provision was not notified in R&P rules of Lecturer School cadre so their services was liable to be taken over on regular basis. After notification of Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024"(Act No. 23 of 2025) the service benefit is admissible from regular appointment and further that a person whose services have been regularized after 12th December, 2003 shall be entitled to service benefits from the date of regularization, as if their services have been regularized under the provisions of this Act. Provides that the service benefits already extended to the persons for the service other than regular service shall stand withdrawn."

Whereas, Now, "The Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024"(Act No. 23 of 2025) is notified by the Department of Personnel Government of Himachal Pradesh on dated 19th February, 2025 and has come into force w.e.f. 20<sup>th</sup> February, 2025. The relevant provisions of the act ibid are reproduced below:-

6. "Extension of Service benefits"

"(1) The service benefits available under various Central Civil Services Rules, as applicable in the state, the Himachal Pradesh Civil Services Rules, and other service benefits such as, Seniority, increment; promotion etc. shall be applicable only to the employees appointed on regular basis.

(2) No person working in any Government Department, who has not been appointed as per provisions of this Act and Rules made thereunder on regular basis shall be entitled to service benefits available under the various Central Civil Services Rules, as applicable in the state, the Himachal Pradesh Civil Services Rules and other service benefits such as seniority, increment, promotion etc.:

Provided that a person shall be entitled for service benefits only from the date of regularization of his services:

Provided further that a person whose services have been regularized after 12th December, 2003 shall be entitled to service benefits from the date of regularization, as if their services have been regularized under the provisions of this Act:

Provided also that the service benefits already extended to the persons for the service other than regular service shall stand withdrawn."

8. "Amendment in Column 10 of the rules:

"Notwithstanding anything contained in any judgment, decree or order of any court; law, rule, notification, order, etc., for the period commencing on and from 12<sup>th</sup> December, 2003 and ending on the date of commencement of this Act, in Column number 10 of the recruitment and promotion rules notified in exercise of powers conferred by proviso to article 309 of the constitution of India, the word's "on contract basis". or such similar words conveying the same meaning, wherever occurs, the words "by regularizations" shall be deemed to have always been substituted as if this Act had been in force at all material times:


Provided that the appointments, if any, already made on contract basis will be regularized or deemed to have been regularized under the provisions of this Act."

9. "Overriding effect"

"The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, rule, notification etc., if any."

Now, I have gone through facts and circumstances of the case, the service benefits of incumbents recruited after 12.12.2003 is to be regulated as per HIMACHAL PRADESH RECRUITMENT AND CONDITIONS OF SERVICE OF GOVERNMENT EMPLOYEES ACT 2024 (Act. No.23 of 2025). The contract appointment given to these Lecturer (School-New) w.e.f. 20.04.2007 is in order and service benefits are allowed from regularization only in supersession of all previous orders. The Principal Concerned where these incumbents are presently working do the needful and refix the pay accordingly and entry to this effect be made in the service book of the concerned.

May inform the parties accordingly.

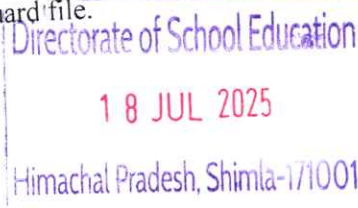
  
Director School Education  
Himachal Pradesh Shimla-1  
July, 2025


Endst. No. Even

Dated: Shimla-1 -

Copy forwarded for information and necessary action to: -

1. The Secretary (Education) to the Government of Himachal Pradesh, Shimla-171002.
2. Ld. Distt. Attorney(Education), Directorate of Higher Education Himachal Pradesh.
3. All the concerned Deputy Director of Higher Education, Himachal Pradesh.
4. All the concerned Principal Govt. Sr. Sec. Schools, Himachal Pradesh.
5. All the individual for information.
6. The Incharge (IT Cell) to upload these orders on departmental website.
7. Guard file.

  
Directorate of School Education  
18 JUL 2025  
Himachal Pradesh, Shimla-171001

  
Director School Education  
Himachal Pradesh Shimla-1

Dated : Shimla -171001

July,2025

**OFFICE ORDER**

Whereas, Government of Himachal Pradesh has taken policy decision on 12.12.2003 that the mode of recruitment by contract appointment may also be prescribed in addition to other mode of recruitment in the Recruitment and Promotion Rules. The contract provision was inserted in R&P Rules of Lecturer cadre on 11.06.2009. Accordingly while giving approval vide letter No.EDN-A-Ka(7)6/2006 dated 08.04.2010 to take over teaching and Non-Teaching staff of Erstwhile Kanwar Durga Chand Memorial College Jaisinghpur Distt. Kangra on contract basis w.e.f. 06.02.2007 i.e. date of taking over of college in relaxation of taking over policy,1994 and in relaxation of R&P Rules of concerned category conditionally. The detail of Lecturer (School-New) is as under:-

Sr.No.	Name of Lecturer (School-New)	Subject	Present place of posting of working Lecturer and last posting of retirees GSSS	DOA	The benefit as regular Lecturer (School-New) allowed.
1	2	3	4	5	6
1	Om Parkash	History	Tamber (KGR)	21.06.2010	Date of regularization i.e. 26.02.2015 not from 06.02.2007.
2.	Archana	Hindi	Upperli Kothi (KGR)	21.06.2010	Date of regularization i.e. 26.02.2015 not from 06.02.2007.
3	Jaya Guleria	English	Bhawarna (KGR)	21.06.2010	Date of regularization i.e. 26.02.2015 not from 06.02.2007.
4	Harish Bhardwaj	Geography	Jaisinghpur (KGR)	21.06.2010	Date of regularization i.e. 26.02.2015 not from 06.02.2007.
5	Milap Chand	Eco	Kotlu (KGR)	21.06.2010	Not regularized hence no regular benefit from 06.02.2007.
6	Ashi Sood	Eco	Sanghole (KGR)	21.06.2010	Not regularized hence no regular benefit from 06.02.2007.
7	Praveen Kumar	Pol.Science	Karanghat (KGR)	21.06.2010	Not regularized hence no regular benefit from 06.02.2007.
8	Kamal Jeet	Hindi	Balakrupi (KGR)	21.06.2010	Date of regularization i.e. 24.05.2017 not from 06.02.2007.
9	Arvind Kumar	Commerce	Serimolag (KGR)	21.06.2010	Not regularized as Lecturer (School-New) hence no regular benefit from 06.02.2007.
10	Ravinder Kumar	Commerce	Pangi (KNR)	21.06.2010	Selected in college in the year,2011 not regularized as Lecturer School hence no regular benefit from 06.02.2007.

And whereas, these lecturers filed court cases with the contention that at the time of taking over their services i.e. 06.02.2007 contract provision was not notified in R&P rules of Lecturer School cadre so their services was liable to be taken over on regular basis. Hon'ble High court in LPA 54 of 2013 directed that in view of Recruitment and Promotion Rules of Lecturer (School-cadre) as they existed on 06.02.2007 i.e. date of take over, whereunder no provision for appointment on contract basis was there, regular recruitment was the only prescribed mode. Thus, services of the petitioners were thus required to be taken over w.e.f. 06.02.2007 on regular basis. After notification of Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024"(Act No. 23 of 2025) the service benefit is admissible from regular appointment and further that a person whose services have been regularized after 12th December, 2003 shall be entitled to service benefits from the date of regularization, as if their services have been regularized under the provisions of this Act. Provides that the service benefits already extended to the persons for the service other than regular service shall stand withdrawn."

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Government of Himachal Pradesh on dated 19th February, 2025 and has come into force w.e.f. 20<sup>th</sup> February, 2025. The relevant provisions of the act ibid are reproduced below:-

**6. "Extension of Service benefits"**

"(1) The service benefits available under various Central Civil Services Rules, as applicable in the state, the Himachal Pradesh Civil Services Rules, and other service benefits such as, Seniority, increment; promotion etc. shall be applicable only to the employees appointed on regular basis.

(2) No person working in any Government Department, who has not been appointed as per provisions of this Act and Rules made thereunder on regular basis shall be entitled to service benefits available under the various Central Civil Services Rules, as applicable in the state, the Himachal Pradesh Civil Services Rules and other service benefits such as seniority, increment, promotion etc.:

Provided that a person shall be entitled for service benefits only from the date of regularization of his services:

Provided further that a person whose services have been regularized after 12th December, 2003 shall be entitled to service benefits from the date of regularization, as if their services have been regularized under the provisions of this Act:

Provided also that the service benefits already extended to the persons for the service other than regular service shall stand withdrawn."

**8. "Amendment in Column 10 of the rules:**

"Notwithstanding anything contained in any judgment, decree or order of any court; law, rule, notification, order, etc., for the period commencing on and from 12<sup>th</sup> December, 2003 and ending on the date of commencement of this Act, in Column number 10 of the recruitment and promotion rules notified in exercise of powers conferred by proviso to article 309 of the constitution of India, the word's "on contract basis". or such similar words conveying the same meaning, wherever occurs, the words "by regularizations" shall be deemed to have always been substituted as if this Act had been in force at all material times:


Provided that the appointments, if any, already made on contract basis will be regularized or deemed to have been regularized under the provisions of this Act."

**9. "Overriding effect"**

"The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, rule, notification etc., if any."






















Now, I have gone through facts and circumstances of the case, the service benefits of incumbents recruited after 12.12.2003 is to be regulated as per HIMACHAL PRADESH RECRUITMENT AND CONDITIONS OF SERVICE OF GOVERNMENT EMPLOYEES ACT, 2024(Act No.23 of 2025). The contract appointment given to these Lecturer (School-New) w.e.f. 06.02.2007 is in order and service benefits are allowed from regularization only in supersession of all previous orders. The service benefits already extended shall stand withdrawn. The Principal Concerned where these incumbents are presently working do the needful and refix the pay accordingly and entry to this effect be made in the service book of the concerned. In case of retiree the retiral benefit be revised accordingly.


May inform the parties accordingly.


  
Director School Education  
Himachal Pradesh Shimla-1  
July, 2025

Endst. No. Even Dated: Shimla-1

Copy forwarded for information and necessary action to: -

1. The Secretary (Education) to the Government of Himachal Pradesh, Shimla-171002.
2. Ld. Distt. Attorney(Education), Directorate of Higher Education Himachal Pradesh.
3. All the concerned Deputy Director of Higher Education, Himachal Pradesh.
4. All the concerned Principal Govt. Sr. Sec. Schools, Himachal Pradesh.
5. All the individual for information.
6. The Incharge (IT Cell) to upload these orders on departmental website.
7.                     

  
Director of School Education  
18 JUL 2025  
Himachal Pradesh, Shimla-171001

  
Director School Education  
Himachal Pradesh Shimla-1