

No. EDN-HE(19)B(1)-2/2023-PTA-CC
Directorate of Higher Education,
Himachal Pradesh

Dated Shimla-171001 the June, 2025

ORDER

Whereas, the petitioners were initially engaged as Lecturer (School New) in different subjects as per the PTA (GIA) Policy 2006 during the year 2006. Thereafter, the Government of H.P. took a conscious decision to take over the services of those PTA GIA teacher who had completed 7 years services as on 31.12.2014 and the break in service/absence period if any should not be more than 42 days.

And whereas, petitioners in CWP No. 2598/2022 titled as Vivek Mehta & others Vs State of HP, did not fulfill the conditions for taking over their services on contract basis as on 31.12.2014. Therefore, these incumbents were not brought on contract basis. In CWP No. 342/2021 titled as Yashwant Singh & Ors. V/s State of HP the claim for regularization w.e.f. 01-04-2018 were allowed to only those PTA/GIA Lecturers who were brought on contract in 2014& 2015.

And whereas, the petitioners in CWP No. 342/2021 titled as Yashwant Singh & Ors. V/s State of HP completed 3 years services on contract basis as on 31.03.2018. But due to stay granted by Hon'ble Apex Court in SLP No. 1426/2015 and connected matters which was against the action of the State to take over the services of Yashwant Singh & others who were taken over on contract basis in January, 2015, could not be regularized as per Govt. instruction dated 11.05.2018. On the other side petitioners in COPC No. 59/2025 in CWP No. 3969/2024 did not fulfill the conditions for taken over their services on contract basis as on 31.12.2014 and remained on PTA GIA basis due to stay from Apex Court on above said SLP. However above said SLPs finally dismissed by the Hon'ble Apex Court on dated 17.04.2020.

And whereas, after dismissal of SLPs/Civil Appeals, the Govt. conveyed the approval to regularized the services of PTA GIA provided teachers taken over on contract basis as well as the left out PTA GIA teachers (petitioners in CWP No. 10575/2023) whose services could not be taken over on contract basis due to the reasons as discussed above, with immediate effect vide approval/letter No. EDN-A-Kha(7)06/2012-Loose-I dated 05.08.2020. After the Govt. approval and observing all the codal formalities, services of all these lecturers were regularized on 20.08.2020.


And whereas, the PTA provided lecturers whose service were taken over on contract basis in January, 2015, filed CWP No. 342/2021 titled as Yashwant Singh & Ors. V/s State of HP with the prayer that their services be regularized w.e.f. 01.04.2018 as they had completed 3 years services on contract basis as on 31.03.2018 and they all are eligible for regularization their services after putting three years on contract basis. Accordingly, Hon'ble Court allowed the same as per order dated 31.08.2022 and with the prior approval of Govt. dated 02.09.2023 & 04.12.2023 the services of those all PTA provided lecturers on contract basis as on 31.03.2018, were regularized w.e.f. 01.04.2018.

And whereas, the petitioners in present petition filed this petition with the prayer that it is similar to the case of Yashwant Singh supra and they are also entitled for regularization of their services w.e.f. 01.04.2018. Since the petitioners were never taken over on contract as they do not fulfill the condition for the same as on 31.12.2014 and did not complete 3 years contract services as on 31.03.2018 as in the case of Yashwant Singh. Therefore, they cannot be considered at par with Yashwant Singh for regularization w.e.f. 01.04.2018. Accordingly the case of petitioner is not similar to the case of Yashwant Singh.

And whereas, in compliance to the Hon'ble High Court judgment and with the prior approval of Govt. Smt. Nikita Chauhan in CWP No. 8788/2023 was regularized w.e.f. 01-04-2018 with all consequential benefits.

Now therefore, in the fact and circumstances as discussed above the case in r/o all petitioner Lecturers (School New) in CWP 2598/2022 titled as Vivek Mehta & others Vs State of HP have been considered and rejected on the ground that they have never been taken over on contract and were regularized on 20.08.2020 as per the approval of the Govt. Therefore, their services cannot be regularized at par with Yashwant Singh & Ors. V/s State of HP in CWP No. 342/2021 as in Yashwant Singh only those Lecturers were regularized w.e.f. 01-04-2018 whose service were taken over on contract basis in January, 2015

May inform the parties accordingly.



Director School Education
Himachal Pradesh

June, 2025

Endst. No. Even dated: Shimla-1, the
Copy forwarded for information and necessary action to: -

1. The District Attorney (Edu.) Directorate of Higher Education HP, Shimla-1 w.r.t CWP No. 2598/2022 titled as Vivek Mehta & others Vs State of HP
2. All the Dy. Directors of Higher Education HP.
3. All the DDO/Principal Concerned.
4. IT Cell Directorate of School Education, with the direction to upload the same on the departmental website.
5. Guard file.




Director School Education
Himachal Pradesh