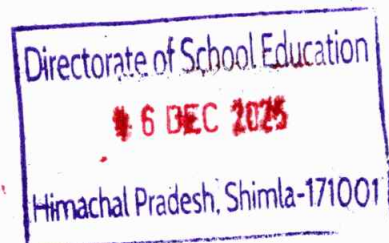


No. EDN-SE-H(2)B(12)CWP /TGT's-2025-Pay scale.

Directorate of School Education

Himachal Pradesh, Shimla-171001

Dated Shimla-171001 December, 2025



"Office Order"

CWP No. 16396/2025 titled as Kahan Chand, CWP No. 18957/2025 Anil Kumar, CWP No. 18208/2025 titled as Sarita Devi V/s State of H.P. (Regarding on analogy of Mohit Sharma)

The petitioner has filed the present Civil Writ Petition thereby seeking the the benefit of higher pay scale after completion of two years of regular service from the date, the petitioner had completed two years of regular service as per judgment passed by the Hon'ble High Court in CWP No. 1638/2024 titled as Mohit Sharma V/s State of H.P. & others alongwith all consequential benefit.

The said case was listed before the Hon'ble High Court order on different date when Hon'ble High Court has directed that the "Consequently, in view of the above, this Court without going into the merits of the case deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the pending representation (Annexure P-4) of the petitioners expeditiously, preferably within a period of six weeks in light of Mohit Sharma case (supra). Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioners and pass a speaking order thereupon. Liberty is reserved to the petitioners to file appropriate proceedings in appropriate court of law, if they still remain aggrieved. Pending applications, if any, also stand disposed of"

Whereas, Sh. Mohit Sharma has been appointed as Clerk on contract basis on compassionate grounds in Education Department and he has joined on 08.02.2019. At the time of appointment, the contract period was 03 years and as per Government directions contractual were regularized after completion of 03 years of continuous services on contract basis.

And whereas, the Government has notified Revised Pay Scale Rule- 2022 vide notification No. Fin-(PR)B(7)-1/2021 dated 03.01.2022 for Govt, employees and as per clause 2.1 of these rules, they shall apply to all the persons appointed on regular basis to the services and posts in connection with the affairs of the State of Himachal Pradesh and whose pay is debited to the Consolidated Fund of State of Himachal Pradesh. But as per clause 2.2 they shall not apply to the (g) persons employed on contract basis. And as per OM No. Fin(C)-B(7)-2/2021 dated 12.01.2022 Government has revised the emoluments of contract employees and fixed amount, equal to 60% (Sixty percent) of the first cell of the applicable level of the Pay Matrix of the corresponding cadre of employees, appointed/working on a regular basis. Thereafter, as per Finance Department notification no. Fin-(PR)B(7)-1/2021- loose dated 06.09.2022 it was decided that the pay of employee of those categories/posts included in Schedule-II shall be fixed at higher pay stage in the concerned level of pay matrix after completion of two: years regular service as given in Schedule-II". This rule shall apply to the employees who were appointed before 3rd January 2022.

And whereas, as per Department of Finance notification No. FINPR)- B(1)-1/2021-LOOSE dated 23.06.2022 Government has allowed placement in higher pay structure on completion of two years regular service as was admissible under Re-revision 2012 to the government employees who were in position before the notification of HP Civil Services (Revised Pay) Rules, 2022 on 03.01.2022.

And whereas, as per order of the Hon'ble High Court dated 29.11.2024 passed in CWP 1638/2024 titled as Mohit Sharma V/s State of H.P. and others, the benefit of higher pay scale has been granted to the petitioner vide office order No. EDN-HE(1)E(3)-2024-Pay scale dated 08.04.2025.

And whereas, the case of the petitioner has been examined in this Directorate and found that the petitioner have been filed CWP before the Hon'ble High Court on the analogy of CWP No. 1638/2024 titled as Mohit Sharma V/s State of H.P and the Hon'ble High Court has disposed of the above said case with the direction that to decide the aforesaid representation of the petitioners in accordance with law within a period of six weeks from today. It is pertinent to mention here that the no opportunity was granted to the Department to file the reply to clear the position/facts.

The judgment of Mohit Sharma at para 4(v) is as under:-Even if Rule 7(A) of the Revised Pay Rules, 2022, is to be read independently of the Revised Pay Rules, 2022, which seems to be the misplaced contention of the State, then also the petitioners are entitled to the benefit of Rule 7(A). As in such situation also, it has to be held that Rule 7(A) does not place any embargo upon flow of benefits under it to the contractual employees, more so, upon their completing two years of regular service. The words used in Rule 7(A) pertaining to its applicability are "employees who are appointed before 03.01.2022," without making any distinction between contractual or regular appointment. Petitioners are appointees prior to 03.01.2022. Revised Pay Rules, 2022, therefore, become applicable upon regularization of contractual appointees and higher stage of pay provided under Rule 7(A) is to be released upon completing requisite number of years of regular service."

Whereas, the case of the petitioners examined and found that the petitioner were appointed as TGT before 03.01.2022 on contract basis and has desired the benefit on analogy of Mohit Sharma case. Further, similar situated matter was sent to the Govt. and Govt. vide their letter dated 01.10.2025 it was directed that the Department may seek the opinion of Ld. Advocate General, H.P. and further the Ld. A.G has opined as under:-

"The rule 7A is crystal clear that any person appointed prior to 03.01.2022 shall be entitled for benefit of notification dated 06.09.2022. The only requirement is appointment to the services prior to 03.01.2022 & the benefit is available after two years from the date regularization. Readily this rules in conjunction with the schedule II clarifies that the appointment means any mode of appointment hence, para 4(V) of the judgment needs no other interpretation."

As order passed by the Hon'ble High Court, as per opinion of Ld. A.G. and as per approval received from the Govt. vide their letter dated 01.11.2025, the petitioners are allowed higher pay scale in the concerned level of pay matrix after completion of two years regular service subject to the final outcome of LPA filed by the State in Mohit Sharma case. The DDO concerned is hereby directed to fix the pay of the petitioner and release the arrear as per Finance Department instruction from time to time and compliance report sent to this Directorate immediately. However, an undertaking to this effect may be obtained from the petitioner that the overpayment if any, found, in later stage shall be recovered from them accordingly. The entry be also made in the service book of individual concerned. May inform the parties accordingly


DIRECTOR

Endst no. even dated Shimla-171001 December, 2025.

Copy forwarded for information and further necessary action to:-

1. The Secretary (Education) to the Government of Himachal Pradesh, Shimla-
2. The Deputy Director of School Education, Mandi, Kangra, Bilaspur, Una, Solan, Chamba, Kullu, Shimla, Hamirpur, Kinnaur, Sirmour H.P. with the directions to do the needful and also intimate the petitioner accordingly.
3. The Supdt. Legal Cell for information please.
4. The Principal, concerned with the direction to do the needful accordingly.
- 5 Incharge IT cell with the request to upload the same on official website & send e-mail to concerned DDSE.

6.KAHAN CHAND AND OTHERS

Address: aged 32 years, son of Sh Bhatku, resident of Village Rulang PO Boching Sub Teh Tikken Teh Padhar Distt Mandi HP 175013, presently working as TGT (ARTS) at GMS Garhgaon, District Mandi, H.P.

7. Name: Ruchi Singh

Address: aged about 34 years, D/o Sh. Ranbir Singh, R/o V.P.O. Malan Teh. Nagrota Bagwan, Distt. Kangra - 176047(H.P.), presently working as TGT (Arts) at GUSSS Parour (Kangra), District Kangra, H.P.

8. Name: Vinay Kumar

Address: aged about 43 years, S/o Sh. Sat Pal, R/o VPO Rohin Tehsil Ghumarwin District - Bilaspur (HP) Pin 174004, presently working as TGT (Arts) at GSSS KUH Majhwar, District Bilaspur, H.P.

9. Name: Ruchi

Address: aged 33 years, D/o Sh Purshottam Singh, R/o Ruchi, W/o- Rakesh Kumar Rana, VPO- Karohta, Tehsil Bhoranj, Distt Hamirpur, Hp, presently working as TGT (Arts) at GSSS Samoor Kalan, District Una, HP

10 Name: Bhupender Pal

Address: aged about 39 years, S/o Sh. Bhadaru Ram, R/o Vill.Trad,P/O Kutahchi, Sub. Teh Pangna, Distt. mandi (HP) 17504 presently working as TGT (Arts) at GSS Kutahchi, District Mandi, H.P.

11. Name: Neha Thakur

Address: aged about 35 years, D/o Sh Yashwant Singh, R/o VPO Behin Tehsil Dehra Distt Kangra Himachal Pradesh, presently working as TGT (Arts) at GMS upper pragpur U/C GMSSS Pragpur, District Kangra, H.P.

12. Name: Parvinder Singh

Address: aged about 35 years, S/o Sh. Vijay Nand, R/o Village Bosari PO Sindasli Tehsil Chirgaon District Shimla, presently working as TGT (Arts) at GSSS Bosari, District Shimla, H.P.

13. Name: Rajender Kumar

Address: aged about 35 years, S/o Sh. Mahatam Chand, R/o Village Guwari PO Kumar Teh. Pangi District Chamba HP, presently working as TGT (Arts) at GHS Kumar Parmar pangi district Chamba HP.

14. Name: Nisha Kumari

Address: aged about 35 years, D/o Sh. Jagdesh Ram, R/o Near New DAV School Changer sector Bilaspur, P.O and Teh Bilaspur, Distt. Bilaspur(H. P)174001, presently working as TGT (Arts) at GSSS NAMHOL, District Bilaspur, H.P.

15. Name: Uma Devi

Address: aged about 36 years, D/o Sh. Sant Ram, R/o VPO Nagheta Teh Paonta District Sirmour 173025, presently working as GHS Amrkot District Sirmour, H.P.

16. Name: Bhagat Ram

Address: aged about 37 years, S/o Smt. Mainawanti, R/o VPO Bonderi Teh Churah Distt Chamba Himachal Pradesh 176316, presently working as TGT (Arts) at GHS Junas, District Chamba, H.P.

17. Name: Neha Bharti

Address: aged about 40 years, D/o Sh. Surinder Singh, R/o Vill Juani Ropa P.O Neoli teh and Distt Kullu 175101 presently working as TGT (Arts) at GSSS Boys Dhalpur, District Kullu HP.

18. Name: Sunil Kumar

Address: aged about 34 years, S/o Sh. Balwant Singh, R/o Village Bachari, P.O. Ranol Teh. Chirgaon District Shimla H.P- 171214, presently working as TGT (Arts) at GSSS Ranol, District Shimla, H.P.

19. Name: Suman Lata

Address: aged about 43 years, D/o Sh. Mukesh Kumar, R/o Vill Ther PO Kukher Teh Nurpur Distt Kangra

20.Name: Manorama Devi

Address: aged about 40 years, D/o Sh. Prem Dass Kaushal, R/o VPO Kashmir Teh Galore District Hamirpur (Himachal Pradesh), presently working as TGT (Arts) at GHS Majhog Sultani, District Hamirpur, H.P.

21.Name: Vijay Kumar

Address: aged about 42 years, S/o Sh. Chuni Lal, R/o Vill. Sapru P.O and Telh. Haripur Distt. Kangra Himachal Pradesh Pin code 176028, presently working as TGT (Arts) at Govt. Sr. s School Bilaspur Distt Kangra, H.P.

22.Name: Shiv Prasad

Address: aged about 50 years, S/o Sh Parshotam Lal, R/o Ward no. 03 Near Sangria Sarai Teh and Distt Kangra Himachal Pradesh pin code 176001, presently working as TGT (Arts) at Govt. GHS Dehrian, District Kangra, H.P.

23.Name: Kiran Bala

Address: aged about 42 years, D/o Sh. Prem Singh, R/o Village Sudhrian.P.O. Tarkwari Teh.Bhoranj, presently working as TGT (Arts) at GSSS Behar Jaswan, District Una, H.P.

24.Name: Kamal Kumar

Address: aged about 41 years, S/o Sh. Banka Ram, R/o Village Boharwin PO Malraon Distt. Bilaspur HP Pin 174035, presently working as TGT (Arts) at GSSS Nakrana, District Bilaspur, H.P.

25.Name: Sumana Kumari

Address: aged about 39 years, D/o Sh. Nand Lal, R/o Village Bhyarta PO Chunahan Teh Balh District Mandi Himachal Pradesh., presently working as TGT (Arts) at PM Shri GMSSS Bhangrotu District Mandi Himachal Pradesh.

26.Name: Usha Devi

Address: aged about 47 years, D/o Sh. Chuni Lal, R/o Village sambal Post office Pandoh Teh Sadar District Mandi Himachal Pradesh, presently working as TGT (Arts) at GSSS Pandoh, District Mandi, H.P.

27.Name: Govind Kumar

Address: aged about 45 years, S/o Sh. Bakshi Ram, R/o Village Chhanjoti post Office Jejwin Sub tehsil Kalol District Bilaspur Himachal Pradesh pin code 174017, presently working as TGT (Arts) at GMS Shigarcha U/c GSSS Rup, District Kinnaur, H.P.

28.Name: Tripta Devi

Address: aged about 30 years, D/o Sh. Hari Dass, R/o Tripta w/o Akhilesh Thakur VPO Manjyat Tehsil Arki District Solan HP 173208, presently working as TGT (Arts) at GSSS Manjyat, District Solan, H.P.

29.Name: Priyanka Kumari

Address: aged about 35 years, D/o Sh. Om Prakash, R/o VPO Bharai, presently working as TGT (Arts) at PM Shri G.S.S.S Bhuthi, District Kullu, H.P.

30.Name: Hem Raj

Address: aged about 35 years, S/o Sh. Mast Ram, R/o Vill. Chiksa p.o Deothi Teh.Rampur Distt. Shimla H.P pin (172022), presently working as TGT (Arts) at GMS Darshal, District Shimla, H.P.

31.Name: Bandna Devi

Address: aged about 38 years, D/o Sh. Shakti Chand, R/o Bandna Devi w/o Sh. Amit Kumar VPO Ramehar Teh. Nagrota Bagwan Distt. Kangra (HP) Pin Code 176052, presently working as TGT (Arts) at GMS Chahri u/c PM Sh GMSSS(Boy) Nagrota Bagwan, District Kangra H.P.

32 Name: Prem Lata

Address: aged about 31 years, D/o Sh. Govind Ram, R/o Village Rathoha p. o Tikker Teh Balh Distt mandi pin code 175006, presently working as TGT (Arts) at GHS Chhajwan Khabu u/c GSSS Kothi Gehri, District Mandi, H.P.

33. Sh. Anil Kumar, TGT GMS Banni u/c GSSS, Awan Distt. Chamba, H.P.

34. Smt. Sarita Devi, TGT(A), GMS Syrighat u/c GSSS, Syri Distt. Solan.

Guard File.


DIRECTOR

