

No. EDN-H (19)B(1)-6/2010-11-Court cases
Directorate of School Education
Himachal Pradesh

Dated : Shimla -171001

November, 2025

OFFICE ORDER

Whereas, the Principal Secretary Education to the Government of Himachal Pradesh conveyed the approval to fill up 1404 posts of Lecturer (School cadre) in various subjects on contract basis vide Letter No.EDN-A-Kha(1)-/2005-L dated 11.07.2008 and 23.09.2008. The requisition was placed to recruiting agencies on 11.08.2008 and 03.10.2008.

And whereas, these posts were advertised by the Himachal Pradesh Subordinate Service Selection Board Hamirpur vide advertisement No. 13/2008 dated 28.08.2008 and advertisement No. 14/2009 dated 17.02.2009. The provision of contract appointment was notified in R&P Rules of Lecturer (School Cadre) on 25.06.2009. Feeling aggrieved petitioners filed various court cases and in CWPOA No. 1695 of 2019 titled as Ajay Kumar Thakur & Others Vs State of Himachal Pradesh & others wherein The Hon'ble High Court on dated 04.10.2024 has ordered as under: -

18. Considering the above factual position, the present petition is allowed with costs and the respondents are directed to extend the benefit of deemed regular appointment to the petitioner, with effect from the date of their initial appointment / joining, on contract basis along with all consequential benefits, however, monetary benefits are restricted to a period of three years immediately preceding to the date of filing of the petition. Costs of the petition are assessed as Rs. 5000/-

19. it is made clear that the outstanding amount, as ordered, be released to the petitioners, within a period of two months from today, failing which the respondents shall be liable, not only to pay the amount, in question, but, also interest there upon, at the rate of 9% per annum, from the Date of their entitlement i.e. 3 years proceeding to the date of filing of petition till its realization

20. Pending application(s), if any, shall also stand disposed of.

And whereas, the matter was taken up with the Government and it has been conveyed vide Letter No. EDN-B-B(12)-1/2024 dated 13.12.2024 that the instant matter are not different from relied upon cases. However, after enforcement of The Himachal Pradesh Recruitment And Conditions of Service of Government Employees Act, 2024 (Act No. 23 of 2025) the claim of petitioners were rejected vide speaking order dated: 17.03.2025 and compliance affidavit were filed in Hon'ble High Court the Ex. Pet. No. 13/2025 was listed before Hon'ble High court on 03.07.2025 and following orders were passed:-

A perusal of the judgment passed by the Court demonstrates that a mandamus was issued by the Court directing the respondents to extend the benefit of deemed regular appointment to the petitioners with effect from the date of their initial appointment/joining on contract basis, along-with all consequential benefits, though monetary benefits were restricted to three years preceding the filing of the petition.

The grievance of the petitioners was that at the time when they were appointed on contract basis there was no provision of contract appointment in the R & P Rules. A perusal of the compliance affidavit demonstrates that rather than implementing the judgment, the respondents are now construing as if a direction was passed by the Court

to consider the case of the petitioners, which is complete misreading of the directions passed by the Hon'ble Coordinate Bench.

Be that as it may, on the request of learned Additional Advocate General, the case is ordered to be listed on 21.07.2025, by which date either the judgment be implemented in letter and spirit, as the same has attained finality, failing which, the Officer concerned shall remain present in the Court to assist the Court as to what is the impediment in implementing the judgment passed by the Court.

On 21.07.2025 following orders were passed:-

Learned Additional Advocate General is directed to ensure the presence of the Secretary Education in the Court on the next date, so that the Court can discuss certain issues with him with regard to the implementation of the judgments of matters pertaining to the Education Department.


In view of above orders the matter was again taken up with the Govt. and since the legal issue of applicability of the HPRCS Act was involved, the matter was referred to Ld. Advocate General and it has been advised the above judgment is not covered by the Act, 2024. The petitioner in CWPOA1695 of 2019 were allowed regular appointment from date of joining on contract vide speaking orders dated 18.08.2025 the remaining lecturers recruited against these 1404 posts are also to be given regular appointment as detailed below:-

Sr. No.	Name of the Candidate and address	DOB	Category	Subject	Date of appointment order
1	Mohd Sahil s/o Sh. Bshir Mohd, H.No. 37, Rawa Sector-2, Tehsil Sadar Distt. Bilaspur, HP.	21.09.83	Gen.	Commerce	EDN-H(19)B(1)-6/2011-12 Apptt.HPSSB(Eng.) dated 16.04.2015

Now therefore, in view of facts and circumstances and in compliance of judgment passed by the Hon'ble High Court of HP in CWPOA No. 1695 of 2019 titled as Ajay Kumar Thakur & Others Vs State of Himachal Pradesh & others, the speaking order dated: 17-03-2025 have become in fructuous and petitioners and non petitioners who have joined on contract are hereby considered as regular employees of the state in the pay scale of Rs. 10300-34800+ 4200 Grade Pay + allowances as admissible from time to time from the date when they were initially appointed/joined on contract basis with all consequential benefits:-

The Principal/DDO concerned are hereby directed to release the monetary benefits only from three years proceeding to the date of filing the petition as per Hon'ble High Court order and also make necessary entries in the service book of the individual concerned.

May inform the parties accordingly.

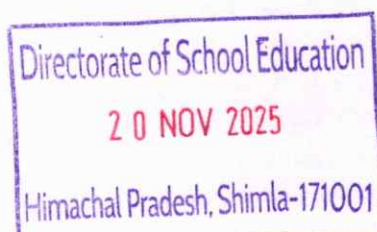

Director of School Education
Himachal Pradesh Shimla-1
November, 2025


Endst. No. Even

Dated: Shimla-1

Copy forwarded for information and necessary action to: -

1. Ld. Distt. Attorney (Education), Directorate of Higher / School Education Himachal Pradesh.
2. The Deputy Director of School Education (Secondary) Bilaspur, Himachal Pradesh.
3. The Principal Govt. Sr. Sec. Schools Chandpur Distt. Bilaspur, Himachal Pradesh.
4. In-charge IT Cell to upload the same on departmental website.
5. DA/ Dealing with seniority/Pay fixation Directorate of School Education HP.
6. Guard file.




Director of School Education
Himachal Pradesh Shimla-1