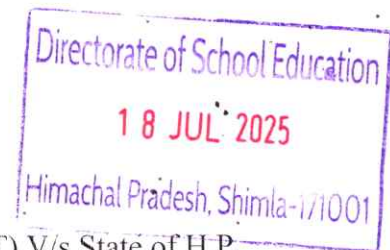


No. EDN-H(2)B(12)CWP No. 249/2025
Directorate of School Education
Himachal Pradesh, Shimla-171001
Dated Shimla-171001 June, 2025



"Office Order"

CWP No. 249/2025 titled as Anuradha & ors (TGT) V/s State of H.P.
(Reg. grant of benefit of minimum revised pay scale)

The petitioner has filed the present Civil Writ petition thereby seeking the relief to issue the direction to the respondents to fix the pay of the petitioners from the eligible dated of period at the minimum revised pay scale of Rs. 38100/- in the terms of the HP Civil Service (Revised pay) rules, 2022 effective from 01.01.2016 and pay all associated arrear.

The said case was listed before the Hon'ble High Court order dated 09.01.2025 when the Hon'ble High Court has passed following order:-

"In view of the above, these writ petition are disposed of by directing the respondents/competent authority to consider and decide the aforesaid representation of the petitioners in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioners. The writ petition stands disposed of in the above terms, so also the pending miscellaneous application (s) if any, also to stand disposed of."

On perusal of record, it is found that the petitioner in above said CWP have been appointed as TGT in the year, 2015 and subsequently their services have been regularized in the year 2018. As per their representation petitioners have requested to grant the revised pay scale i.e. minimum of Rs. 38100/- w.e.f. 01.01.2016. It is further submitted that the Govt. has notified Revised Pay Scale rules -2022 vide notification dated 03.01.2022 Clause 2.1 these rules, they shall apply to all the person appointed on regular basis to the service and post in connection with the affairs the State of HP and whose pay is debited to the Consolidated fund of State of HP but as per Clause 2.2 they shall not apply to the (g) person employed on contract basis. And as per OM No. Fin (C)-B(7)-2/2021 dated 12.01.2022 Govt. has revised the emoluments of contract employees and fixed amount, equal to 60% of the first cell of the applicable level of the Pay Matrix of the corresponding cadre of employees, appointed/ working on a regular basis. It is further submitted that the CWP 8148/2022 titled as Yashwant Kumar has not been attained finality till date.

And whereas, Now, "The Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024"(Act No. 23 of 2024) has been notified by the Department Of Personnel Government of Himachal Pradesh on dated 19th February, 2025 and has come into force w.e.f. 20th 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 there under 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."

In view of the above, the petitioners in above said CWP are not regular employee as on 01.01.2016. Hence, they are not entitled for minimum of the revised pay scale i.e. 38100/- w.e.f. 01.01.2016. The representation of the petitioner is considered and rejected accordingly. All the concerned be intimated accordingly.


DIRECTOR

Endst no. even dated Shimla-171001 June, 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 Elementary Education Kangra H.P. with the directions to do the needful accordingly.
3. The Ld. District Attorney for information please.
4. Smt./ Ms. Anuradha, TGT(M), GHS Sidhbari Distt. Kangra for information please.
5. Guard File.


DIRECTOR