

No:EDN-H(2)B(2)54/2013-CC
Directorate of Elementary Education,
Himachal Pradesh Lalpani Shimla-1.
Dated Shimla-the 17/001 the

January, 2025

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

08 JAN 2025

OFFICE ORDER

Whereas, in the year of 2008 the Government conveyed the approval to fill

शिमला-1

up 4568 posts of TGTs on contract basis vide letter No. EDN-C-B(15)6/2007-Loose dated 16.06.2008 and the Department, accordingly, advertised the posts purely on contract basis through batchwise basis vide requisition No. EDN-H(2)B(2)3/2008-Requisition dated 27.06.2008 and requisitions were also sent to the Secretary, H.P. Subordinate Services Selection Board, Hamirpur, Director, Ex-servicemen Employment Cell, Hamirpur, Physically Handicapped Cell H.P., and Director, Sports Cell, H.P. vide requisition No. EDN-H(2)B(2)3/2008-Requisition dated 27.06.2008 & 14.07.2008 to fill up the posts of TGTs purely on contract basis, however, the specific amendment related to contract appointment was inserted in the R&P Rules, of TGTs on dated 22.10.2009 and prior to this, in the R&P Rules of TGTs provision of regular appointment was in vogue. In response to the Department requisition No. EDN-H(2)B(2)3/2008-Requisition dated 14.07.2008, Director, Ex-servicemen Cell, Hamirpur, vide letter No.DSW/Emp(Ex-Cell)OC-19/2008 dated 27.08.2008 & 20.09.2008, No.DSW/Emp(Ex-Cell)OC-20/2008 dated 27.08.2008 & 20.09.2008 and No.DSW/Emp(Ex-Cell)OC-18/2008 dated 19.11.2008 issued NAC (Non Availability Certificate) to fill up 131 posts of TGT NM, 126 posts of TGT Medical and 54 posts of TGT Arts respectively amongst Ward of Ex-servicemen, and accordingly, the Department placed requisition to all Employment Exchanges to fill up the vacancies reserved for Ward of Ex-Servicemen category on contract basis vide Ednst. No.EDN-H(2)B(2)3/2008-Requisition (Vol-I) dated 02.01.2009. Thereafter, as per Batchwise Merits drawn against the requisition dated 27.06.2008 & 02.01.2009, recommendation received through Secretary, HPSSSB, Hamirpur against the requisition dated 27.06.2008, recommendation received through Ex-servicemen Cell, Hamirpur from time to time against the requisition dated 27.06.2008 and recommendation received through Sports Cell, H.P. from time to time against the requisition dated 27.06.2008, the Department offered appointment to all eligible candidates on contract basis selected through batchwise basis, selected through HPSSSB, Hamirpur, Ex-servicemen recommended by Ex-servicemen Cell, Hamirpur and sportspersons recommended by Sports Cell H.P. vide office order, No. EDN-H(2)B(2)5/2008-(Medical)-Deptt. Dated 25.11.2008, No. EDN-H(2)B(2)6/2008-Medical/(Deptt.) Dated 27.01.2009, No. EDN-H(2)B(2)6/2008-Med-(Deptt.) Dated 21.02.2009, No. EDN-H(2)B(2)5/2008-Medical-(Deptt) Dated 28.05.2009, No. EDN-H(2)B(2)5/2008-Medical-(Deptt) Dated 19.08.2009, No. EDN-H(2)B(2)5/2008-Medical-(Deptt) Dated 05.10.2009, No. EDN-H(2)B(2)5/2008-Med-(Deptt.) Dated 17.04.2010, No. EDN-H(2)B(2)5/2008-Med-(Deptt.) Dated 19.06.2010, No. EDN-H(2)B(2)5/2008-Med-(Deptt.) Dated 06.08.2010, No.EDN-H(2)B(2)5/2009-10(Medical)-HSSSB dated 17.08.2010, 04.09.2010, No.EDN-H(2)B(2)5/2009-10(Med)-HPSSSB dated 18.06.2011, No.EDN-

H(2)B(2)5/2008-(Non-Med.)-Deptt. Dated 14.11.2008, No.EDN-H(2)B(2)6/2008-NM(Deptt.) Dated 21.02.2009, No.EDN-H(2)B(2)5/2008-NM-(Deptt.) Dated 28.05.2009, No.EDN-H(2)B(2)5/2008-NM-(Deptt.) Dated 05.10.2009, No. EDN-H(2)B(2)5/2008-NM-(Deptt.) Dated 20.04.2010, No. EDN-H(2)B(2)CWP-2645/2008 Dated 27.12.2010, No. EDN-H(2)B(2)5/2009-10(Non-Medical)-HPSSSB dated 24.09.2010, 28.09.2010, No. EDN-H(2)B(2)5/2009-10(NM)-HPSSSB dated 18.06.2011, No. EDN-H(2)B(2)6/2008-(Arts)-Deptt. Dated 07.11.2008, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 21.02.2009, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 28.02.2009, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 22.05.2009, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 28.05.2009, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 19.08.2009, No. EDN-H(2)B(2)6/2008-Arts-(Deptt.) Dated 05.10.2009, No. EDN-H(2)B(2)5/2008-Arts-(Deptt.) Dated 17.04.2010, No. EDN-H(2)B(2)5/2008-Arts-(Deptt.) Dated 27.04.2010, No. EDN-H(2)B(2)-CWP-1268/2008 Dated 09.09.2010, No. EDN-H(2)B(2)5/2008-Arts-(Deptt.) Dated 16.09.2010, No. EDN-H(2)B(2)5&6/2008-(Arts)B.W. Dated 01.03.2011, No. EDN-H(2)B(2)-12258/2008-CC dated 09.01.2012, No.EDN-H(2)B(2)5/2009-10(Arts)-HPSSSB dated 21.07.2010, 04.09.2010, NO. EDN-H(2)B(2)-6/2010-HPSSSB-Hamirpur dated 19.03.2011, No. EDN-H(2)B(2)6/2009-10(Arts)-HPSSSB dated 18.06.2011, No. EDN-H(2)B(2)34/2005-Contract (Ex-Man) Dated 20.12.2008, No. EDN-H(2)B(2)34/2005-Contract (Ex-Man) Dated 26.12.2008, No. EDN-H(2)B(2)6/2008-(Ex-Man) Dated 28.02.2009, No. EDN-H(2)B(2)6/2008-(Ex-Man) Dated 06.08.2009, No. EDN-H(2)B(2)6/2008-EXM Dated 15.03.2010, No. EDN-H(2)B(2)6/2008-EXM Dated 24.05.2010, No. EDN-H(2)B(2)5&6/2008-Sports Dated 28.02.2009, 06.08.2009, No.EDN-H(2)B(2)-5&6/2009-WEXM(A/NM/M) dated 21.11.2009, 27.11.2009, 30.11.2009, 29.01.2010, 06.03.2010, 17.04.2010, 24.05.2010 & 19.06.2010.

Whereas, some of the TGTs who were appointed on contract basis in the year of 2008 & 2009 prior to the insertion of contract condition in the R&P Rules of TGTs filed various civil writ petitions in the Hon'ble High Court of H.P. for regular appointment instead of contract appointment from the date of initial appointment on contract basis as such the provision of contract appointment was not inserted in the R&P Rules of TGTs and provision of regular appointment was in vogue. The Hon'ble High Court of H.P. disposed of these writ petitions in terms of the judgments passed in CWP No. 7602 of 2010, titled **Om Prakash Versus State of H.P. and others, and connected matters, and CWP No. 3144 of 2011, titled as Anju Devi Versus State of H.P. and others, subject to the outcome of LPAs No. 54 of 2013 and 500 of 2013.**

Whereas, the matter of regular appointment instead of contract appointment without the amendment of R&P Rules was decided by the Hon'ble High Court of H.P. in LPA No. 21/2013 and other connected LPAs on dated 04.10.2019 and the Director of Higher Education implemented the judgment passed LPA No. 54/2013 titled as **State of Himachal Pradesh & Ors. Vs. Sh. Om Parkash** (connected with LPA No. 21/2013) filed in CWP No. 7602 of 2010, titled **Om Prakash Versus State of H.P. and others, and connected matters** vide office order No. EDN-H (19)B(1)6/2013- Court Case dated 08.12.2020 and

allowed the benefit of taking over the services on regular basis instead of contract to the eligible petitioners as lecturer w.e.f. 06.02.2007.

Whereas, in the matter of petitioners (TGTs) in CWP No. 414/2014-Kuldip Chand Vs State of HP & connected matters, CWP No. 6383/2014- Manoj Kumar Vs State of HP & Others, CWP No. 6746/2014- Som Dutt Vs State of H.P. & Ors, CWP No. 6751/2014- Manohar Lal Vs State of H.P. & Ors, CWP No. 6748/2014-Disha Sharma Vs State of H.P. & Ors, CWP No. 6749/2014- Nirmla Shashni vs State of HP & Others, CWP No. 6750/2014- Chhime Angmo Vs State of HP & Others and connected matters, the matter of LPA No. 54/2013(State of HP and others Vs Om Prakash) was again taken up with the Govt. vide letter No EDN-H(2)B(2)54/2013 CC date 24.06.2020 & 01.11.2023 and the Government vide letter No. EDN-C-E(3)3/2020 dated 30.11.2023 conveyed the approval to implement the orders of the Hon'ble High Court in letter and spirit. Accordingly, the Department implemented the order of the Hon'ble High Court of H.P. vide office order No. EDN-H(2)B(2)54/2013-CC dated 01.12.2023 by considering the petitioner deemed regular employee from the date of their initial appointment on contract basis with all consequential benefits. However, the Government had further also directed that in similar situated cases, the advice of the Ld. Advocate General may be sought as to how proceed further in the matter. Accordingly, the matter was also discussed with **Ld. Advocate General who opined that "decide the representations if any in accordance with Law as laid down qua including notional benefits for fence seater"**.

Whereas, in most of the present petitions the Hon'ble High Court has ordered that **"This writ petition is accordingly disposed of with the direction that the representation filed by the petitioner be decided in light of the averments made therein within a period of four weeks from today. Pending miscellaneous application(s), if any also stand disposed of accordingly."**

Whereas, the matter of CWP No. 414 of 2014 and other CWPs alongwith LPA No. 54 of 2013 was again taken up with the Government vide letter No. EDN-H(2)B(2)54/2013-CC dated 24.04.2024 and in reference to the Department letter, the Secretary, (Education) to the Govt. of H.P. with the prior approval of Finance Department (Regulation) obtained vide File No. Fin(C)-B(15)-2/2020-L dated 09.05.2024 conveyed the approval to implement the orders of the Hon'ble High Court of H.P. in similar situated cases (TGTs/C&V categories) qua petitioners as well as to fence seater (including notional benefits to fence seater) vide letter No. EDN-C-E(3)3/2020 dated 15.05.2024. Accordingly, the Department has implement the order of the Hon'ble High Court of H.P. vide office order No:EDN-H(2)B(2)7556/2022-CC dated 05.01.2024 No:EDN-H(2)B(2)10902/2023-CC dated 01.03.2024, No:EDN-H(2)B(2)9135/2023-CC dated 20.04.2024, No:EDN-H(2)B(2)54/2013-CC dated 18.06.2024, No:EDN-H(2)B(2)2782/2019-CC dated 04.07.2024.

In view of above facts and circumstances and in compliance to the orders passed by the Hon'ble High Court of H.P. in various CWPs and further approval conveyed by the Government vide letter No. EDN-C-E(3)3/2020 dated 15.05.2024, the following petitioners are hereby considered as deemed regular employees of the State from the date when they were

initially appointed/joined on contract basis with all consequential benefits, however, monetary benefits are extended notionally. The details of petitioner are as under:-

Sr. No.	CWP NO./CWPOA NO.	Name & Address	Subject	D.O.Apptt
1.	295/2024	Ex-NB/Sub Kartar Chand s/o Sh. Jai-shi Ram, Vill Malian, PO Perkwari, Tehsil Bhoranj, Distt Hamirpur, HP.	Arts	20.12.08
2.	295/2024	Ex-Nb/ Sub Anil Kumar S/O Sh. Nardev Singh Vill Pansal PO Kherian Tehsil Dehra Gopipur Distt. Kangra (H.P.)-176028.	Arts	20.12.08
3.	295/2024	Ex-Hav Karam Chand Katoch S/O Sh. Balwant Singh VPO Balh (Joli) Tehsil Joginder Nagar Distt. Mandi (H.P.)	Arts	20.12.08
4.	14851/2024	Ex-NK Birbal s/o Sh Dhani Ram, VPO Ramerh, Tehsil & distt Kangra, 176052	Arts	20.12.08
5.	8070/2024	Sh.Varinder Kumar S/O Sh.Budhi Ram Vill.Benla P.O.Chandpur Tehsil.Barsar Distt.Bilaspur.	Arts	28.02.09
6.	295/2024	Chandra Vati D/O Vani Madav Vpo Bassi Tehsil Chachiot Distt Mandi	Arts	28.05.09
7.	8070/2024	Rajesh Kumar S/O Rikhi Ram Vill Majhera P.O. Kachhera Tehsil Jaisinghpur Distt Kangra 176076	Arts	28.05.09
8.	9998/2024	Gian Chand S/O Sh. Sant Ram Vpo Behal Sub.Tehsil Shri.Naina Devi Ji Distt. Bilaspur, H.P.	NM	28.05.09
9.	14848/2024	Virender Kumar S/O Sh. Sita Ram Vill Jawah P/O Thuran Teh. Jhandutta Distt. Bilaspur (HP)	NM	30.11.09
10.	14848/2024	Ramesh Kumar S/O Sh Ram Dittu Vill Chakli PO Navgaon, Tehsil Arki Distt.Solan-171102	NM	30.11.09
11.	8070/2024	Kumari Rekha D/o Sh. Devender Kumar, Village Jadhari Post Office Kandaghat Tehsil Kandaghat Solan HP 173215	Arts	21.07.10
12.	8070/2024	Narender Singh S/o Sh. Dalip Singh Chauhan, Village & Post Office, Tehsil Nohradhar Sirmour HP 173104	Arts	21.07.10
13.	6423/2024	Surender Singh S/o Sh. Ran Singh, Village Churayan Post Office Dhar-chandna Tehsil Chopal Shimla HP 171210	Arts	21.07.10
14.	6423/2024	Chatar Singh S/o Sh. Ram Singh, Village & Post Office Jubilee Tehsil Chopal Shimla HP 171210	Arts	21.07.10

15.	6423/2024	Poonam Kumari D/o Sh. Hari Parkash, Mahaveer Cottage Cemetery Sanjauli Shimla HP 171006	Arts	21.07.10
16.	8070/2024	Renuka Rana D/o Sh. Megh Raj Rana, Village & Post Office Makol Tehsil Palampur Kangra HP 176076	Arts	21.07.10
17.	5000/2024	Anil Kumar S/o Sh. Basant singh, Village & Post Office Brarta Tehsil Sarkaghat Mandi HP 175024	Arts	21.07.10
18.	8070/2024	Surat Ram S/o Sh. Amin Chand, Village Banoraru Post Office Yol Cantt Tehsil Dharamsala Kangra HP 176052	Arts	21.07.10
19.	8070/2024	Sonika D/o Sh. Sharwan Kumar, VPO Jaund Tehsil Palampur Kangra HP 176086	Arts	21.07.10
20.	8070/2024	Daljeet Singh S/o Sh. Harbhajan Singh, Village & Post Office Rajban Tehsil Paonta Sahib Sirmour HP 173028	Arts	21.07.10
21.	8070/2024	Vijay kumar S/o Sh. Subhakaran, Village Malehar Post Office Tamber Tehsil Jaisinghpur Kangra HP 176095	Arts	21.07.10
22.	8464/2024	Andita Gupta d/o Sh. Ashok Gupta Lower Seri Joginder Nagar Mandi HP 176120	Med	17.08.10
23.	8070/2024	Ranjeet Singh s/o Sh.Kanshi Ram Village Kudana Kanan Post Office Jangal Beri Tehsil Sujanpur Hamirpur HP 176109	Med	17.08.10
24.	12111/2024	Rajinder Singh s/o Sh.Kashmir Singh Village Ghartheru Post Office Dhaliara Tehsil Dehra Kangra HP 177103	Med	17.08.10
25.	8070/2024	Santosh Kumar s/o Sh.Udho Ram VPO Sungal Tehsil Palampur Kangra HP 176061	Med	17.08.10
26.	8070/2024	Subhash Chand s/o Sh.Jondu Ram VPO Dhanag Tehsil Baijnath Kangra HP 176125	Med	17.08.10
27.	8070/2024	Kameshwer Verma S/o Sher Singh Verma W/o Sh Ravi Sharma, Vill Dwari PO Mterni Teh. Arki Distt Solan HP -173221	NM	24.09.10
28.	8070/2024	Sucharita Katoch D/o Ajmer Singh Katoch VPO Khera The Palampur Distt Kangra HP - 176086	NM	24.09.10
29.	8070/2024	Gopal S/o Ram Rattan VPO Badgaon Teh Jhandutta Distt Bilaspur HP - 174029	NM	24.09.10
30.	8070/2024	Meenakshi D/o Suraj Parkash Vill Molichack PO Banuri Teh Palampur Distt Kangra HP - 176061	NM	24.09.10
31.	8070/2024	Reena Devi D/o Mulakh Raj VPO Kahan Teh Jaisinghpur Distt Kangra HP - 176098	NM	24.09.10

32.	8070/2024	Umesh Kumar S/o Raj Mal VPO Mu-halkar Chahari Teh Kangra Via Nagro-ta Bagwan Distt Kangra HP - 176047	NM	24.09.10
33.	8070/2024	Sanjeev Kumar S/o Purshotam Lal Vill Balla PO Rakh Teh Palampur Distt Kangra HP - 176059	NM	24.09.10
34.	8070/2024	Mahinder Kumar S/o Rasil Singh Vill Punani PO Aloh Teh Rakkar Distt Kangra HP - 177034	NM	24.09.10
35.	284/2025	Geeta Devi D/o Hari Dutt Vill Playna PO Fagu The Theog Distt Shimla HP - 171209	NM	24.09.10

The concerned Principal/Headmaster/Incharge of the concerned of GSSS/GHS/GMS of H.P. is further directed that entry in this regard may also be made in the service book of the petitioners. May inform the parties accordingly.

Director Elementary Education,
Himachal Pradesh.

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

08 JAN 2025

No:EDN-H(2)B(2)54/2013-CC Dated January, 2025

Copy forwarded for information and necessary action to:-

1. The Secretary (Education) to the Government of H.P. w.r.t. letter No. EDN-C-E(388/2020) dated 15.05.2024.
2. All the concerned Dy. Directors of Elementary/Higher Education of H.P.
3. The concerned Treasury Officer.
4. The concerned Principal/Headmaster of GSSS/GHS/GMS of H.P. with the direction that before proceeding further in the matter as per above directions it may be strictly ensured that the concerned TGT is a petitioner in the above referred CWP and the appointment of the petitioner is as per requisition/advertisement issued before the amendment of R&P Rules of TGT i.e. before, 22.10.2009. if any petitioner who is appointed against the posts requisitioned/advertised after the amendment of R&P Rules, the cases of such petitioner shall be referred back to this Directorate immediately and further directed to send the compliance report to this Directorate immediately.
5. The Dealing Assistant Seniority Seat/Pay Fixation Seat, TGTs.
6. The Petitioner concerned.
7. Nodal Officer, IT Cell, Dte. of Ele. Edu. H.P. with the request to upload the same on Departmental website.
8. The Guard file.

Director Elementary Education,
Himachal Pradesh.