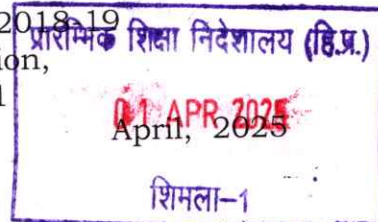


No.EDN-H(2)(Elem)B(9)-Tent/Sty.2018-19
Directorate of Elementary Education,
Himachal Pradesh Shimla-171001
Dated: Shimla-171001 the



"OFFICE ORDER"

Whereas, various cases have been decided by the Hon'ble High Court of HP in numerous CWPs and various judgments have been passed by the Hon'ble High Court of HP in many CWPs to consider and decide the representations made by the petitioners in light of the judgment passed by the Hon'ble High Court of HP in CWPOA No. 3435/2020 titled as Satish Kumar & Ors Vs State of H.P. & Ors alongwith CWPOA No.6850 of 2020 titled as Milat Ram and others Vs State of H.P. and others and all other connected matter. In the said petitions, the Hon'ble High Court in its order that "the petitioners shall be deemed to be appointed on 1st May, 2003 alongwith all consequential benefits."

And whereas, the department had prepared the Final seniority list and same was circulated vide letter No.EDN-H(2)(Ele)B(9)-Tent/Sty.2018-19 Dated 11.03.2025 in compliance to the orders of Hon'ble High Court of HP in COPC No. 207 of 2022 in CWPOA No. 3435/2020-titled as Satish Kumar & Ors. Vs State of HP & others.

And whereas, now "The HP Recruitment and conditions of Service of Govt. Employees Act 2024"(Act No.23/2025) is notified by the Department of Personnel to the Government of Himachal Pradesh on dated 07.02.2025 and has come into force w.e.f. 20.02.2025. Now, **"The Himachal Pradesh Recruitment and conditions of Service of Government Employees Act, 2024"(Act No. 23 of 2025)** is 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 thereunder 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."

8. "Amendment in Column 10 of the rules:

"Notwithstanding anything contained in any judgment, decree or order of any court; law, rule, notification, order, etc., for the period commencing on and from 12th December, 2003 and ending on the date of commencement of this Act, in Column number 10 of the recruitment and promotion rules notified in exercise of powers conferred by proviso to article 309 of the constitution of India, the words "on contract basis". or such similar words conveying the same meaning, wherever occurs, the words "by regularizations" shall be deemed to have always been substituted as if this Act had been in force at all material times:

Provided that the appointments, if any, already made on contract basis will be regularised or deemed to have been regularised under the provisions of this Act."

9. "Overriding effect"

"The Provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, rule, notification etc., if any."

Whereas, after the enactment of act the office orders issued by this Department in numerous writ petitions from time to time on the analogy of CWPOA No. 3435/2020 titled as Satish Kumar & Ors Vs State of H.P. & Ors alongwith CWPOA No. 6850 of 2020 titled as Milat Ram and others Vs State of H.P. and others and all other connected matter were withdrawn with immediate effect vide this Directorate office order No. EDN-H(2)B(2)3435/2020 dated 28.03.2025.

In view of the above, the Final seniority of TGT's issued vide this office letter No. EDN-H(2)(Ele)B(9)-Tent/Sty.2018-19 Dated 11.03.2025 is hereby withdrawn with immediate effect. As a sequel to this final seniority list as circulated vide this Department letter No.EDN-H(2)B(9)-1/2016-Final Sty. Dated 20.06.2017 and 10.03.2022 shall stand.


DIRECTOR
April, 2025

Endst No. Even Dated Shimla-171001
Copy for information and necessary action to:-

1. The Secretary (Education)to the Governmnt of H.P.
2. The Director of Higher Education,H.P., Shimla-171001.
3. All the concerned Dy. Directors of Elementary/Higher Education of H.P.
4. All the concerned Principal/Headmaster of GSSS/GHS of H.P.
5. The Petitioner concerned.
6. Incharge, I.T. Cell, Directorate of Elementary Education, H.P. Shimla-1with the direction to upload this letter on departmental website.
7. Guard file.


DIRECTOR

