No. EDN-SE-H(2)B(12)CWP /TGT's-2026-Pay scale.
Directorate of School Education
Himachal Pradesh, Shimla-171001
Dated Shimla-171001 August, 2026

Directorate of School Education
11 AUG 2026
Himachal Pradesh, Shimla-171001

"Office Order"

CWP No. 19441/2025 titled as Shivani Bhardwaj, TGT(NM) V/s State of H.P.
(Regarding higher pay scale after completion of two years of continuous services)

The petitioners have 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 alongwith all consequential benefit.

The said case was listed before the Hon'ble High Court on 10.12.2025 when Hon'ble High Court has directed that the "Consequently, in view of the above, the present petition is disposed of with a direction to the respondents to consider and decide representation of the petitioner (Annexure P-2) in light of judgment, as detailed hereinabove, expeditiously, preferably within a period of four weeks. In case, petitioner is found to be similarly situate to the petitioner in the aforesaid judgment, she would be extended similar benefits. Needless to say, authority concerned while doing the needful in terms of the instant order shall afford an opportunity of hearing to the petitioner and pass speaking order thereupon. All pending applications stand disposed of."

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.

Whereas, pursuant to the representation submitted by the petitioner, the matter has been examined in this Directorate. After examination, it has been found that the petitioner, Smt. Shivani Bhardwaj, was appointed as a TGT on a contract basis in the year 2017 and was regularized in the year 2020. However, the petitioner remained on EOL without medical w.e.f. EOL without medical w.e.f. 06.04.2022 to 19.06.2022=76 days and 01.08.2022 to 26.01.2023 =179 days. Therefore, the concerned DDO was not granted the higher pay scale to the petitioner after completion two years of regular services. Now, the Hon'ble High Court has directed to decide the case of the petitioner on analogy of Inder Singh Thakur, the case of the present petitioner is not similar siuated to Inder Singh Thakur judgment. Hence, claim on the ground of parity with Inder Singh Thakur is not tenable.

Since the petitioner was initially appointed on a contract basis prior in the year, 2017, she is covered under the provisions of the Finance Department (Pay Revision) Instructions dated 06.09.2022. Accordingly, the petitioner is entitled to the benefit of the higher pay scale upon completion of two years of continuous service, in terms of the aforesaid instructions.

As order passed by the Hon'ble High Court and as per Govt. instruction dated 06.09.2022, the petitioners are allowed higher pay scale in the concerned level of pay matrix after completion of two years of continuous service subject to the final outcome of LPA filed by the State. 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 August, 2026.

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 Kangra H.P. with the directions to do the needful and also intimate the petitioner accordingly.

3. The Supdt. Legal Cell w for information please.

The Principal, concerned is hereby directed that if the petitioner's case is not found to be similarly situated, it shall be referred back to this Directorate immediately.

5. Incharge IT cell with the request to upload the same on official website.

6. Smt. Shivani Bhardwaj, TGT(NM), GSSS, Durgella Distt. Kangra.

7. Guard File.

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