No. EDN-(SE)-H(2)B(12)CWP No. 3182/2026 & 20577/2025-Revised Pay
Directorate of School Education
Himachal Pradesh, Shimla-171001
Dated Shimla-171001 August, 2026

"Office Order"

1. **CWP No. 3182/2026 Santosh Kumari, TGT (Arts) V/s State of H.P.**
2. **CWP No. 20577/2025 Mehar Chand, & Ors. V/s State of H.P. (analogy of Mohit Sharma)**

The petitioner has filed the present Civil Writ Petition thereby seeking the benefit of higher pay scale after completion of two years of regular service from the date when the petitioner had completed two years of regular service as per judgment passed by the Hon'ble High Court in CWP No. 1638/2024 titled as Mohit Sharma V/s State of H.P. & others alongwith all consequential benefit.

The said cases were listed before the Hon'ble High Court on different dated when the Hon'ble High Court directed that the "Consequently, in view of the above, this Court, without going into the merits of the case, deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the representation(s) of the petitioners in light of Mohit Sharma & DeepikaKumari (supra), expeditiously, preferably within a period of six weeks from today. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioners and pass speaking order thereafter. Pending applications, if any, stand disposed of"

Whereas, Sh. Mohit Sharma has been appointed as Clerk on contract basis on compassionate grounds in Education Department and he has joined on 08.02.2019. At the time of appointment, the contract period was 03 years and as per Government directions contractual were regularized after completion of 03 years of continuous services on contract basis.

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.

And whereas, as per Department of Finance notification No. FIN(PR)- B(1)-1/2021-LOOSE dated 23.06.2022 Government has allowed placement in higher pay structure on completion of two years regular service as was admissible under Re-revision 2012 to the government employees who were in position before the notification of HP Civil Services (Revised Pay) Rules, 2022 on 03.01.2022.

And whereas, as per order of the Hon'ble High Court dated 29.11.2024 passed in CWP 1638/2024 titled as Mohit Sharma V/s State of H.P. and others, the benefit of higher pay scale has been granted to the petitioner vide office order No. EDN-HE(1)E(3)-2024-Pay scale dated 08.04.2025.

And whereas, the case of the petitioner has been examined in this Directorate and found that the petitioner have been filed CWP before the Hon'ble High Court on the analogy of CWP No. 1638/2024 titled as Mohit Sharma V/s State of H.P and the Hon'ble High Court has disposed of the above said case with the direction that to decide the aforesaid representation of the petitioners in accordance with law witin a period of six weeks from today. It is pertinent to mention here that the no opportunity was granted to the Department to file the reply to clear the position/facts.

The judgment of Mohit Sharma at para 4(v) is as under:-Even if Rule 7(A) of the Revised Pay Rules, 2022, is to be read independently of the Revised Pay Rules, 2022, which seems to be the misplaced contention of the State, then also the petitioners are entitled to the benefit of Rule 7(A). As in such situation also, it has to be held that Rule 7(A) does not place any embargo upon flow of benefits under it to the contractual employees, more so, upon their completing two years of regular service. **The words used in Rule 7(A) pertaining to its applicability are "employees who are appointed before 03.01.2022," without making any distinction between contractual or regular appointment. Petitioners are appointees prior to 03.01.2022.** Revised Pay Rules, 2022, therefore, become applicable upon regularization of contractual appointees and higher stage of pay provided under Rule 7(A) is to be released upon completing requisite number of years of regular service."

Whereas, the case of the petitioners examined and found that the petitioner in above CWPs appointed as TGT before 03.01.2022 on contract basis and has desired the benefit on analogy of Mohit Sharma case. Further, similar siuated matter was sent to the Govt. and Govt. vide their letter dated 01.10.2025 it was directed that the Department may seek the opinion of Ld. Advocate General, H.P. and further the Ld. A.G has opined as under:-

"The rule 7(A) is crystal clear that any person appointed prior to 03.01.2022 shall be entitled for benefit of notification dated 06.09.2022. The only requirement is appointment to the services prior to 03.01.2022 & the benefit is available after two years from the date regularization. Readily this rules in conjuction with the schedule II clarifies that the appointment means any mode of appointment hence, para 4(V) of the judgment needs no other interpretation."

As order passed by the Hon'ble High Court, as per opinion of Ld. A.G. and as per approval received from the Govt. vide their letter dated 01.11.2025, the petitioners are allowed higher pay scale in the concerned level of pay matrix after completion of two years regular service subject to the final outcome of LPA filed by the State in Mohit Sharma case. 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 the effect may be obtained for the petitioner that the over payment 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

-Sd-
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, Hamirpur and Solan H.P. with the directions to do the needful and also intimate the petitioner accordingly.
3. The Supdt. Legal Cell for information please.
4. 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 send e-mail & website to concerned DDSE.
6. Santosh Kumari TGT (Arts) GHS Dar U/c GSSS Kashmir, District Hamirpur, HP.
7. Santosh Kumari TGT (Arts) GSSS Oachghat District Solan, Himachal Pradesh
8. Guard File.

DIRECTOR

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