

No. EDN-H(8)A(6)Misc./2016  
Directorate of Higher Education  
Himachal Pradesh.  
Phone No. 0177-2653120, Fax : 0177-2812882

Dated: Shimla - 171001, the, 07<sup>th</sup> February, 2020

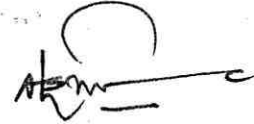
To

All the Principals  
Govt. Degree/Skt. Colleges  
Himachal Pradesh

Subject:- CWP No. 1160/2019 Vipin Kumar Guleria Vs State of  
H.P.

Your kind attention is invited on the subject  
cited above.

In this context, please find enclose herewith the  
order/judgment dated 08.01.2020 in CWP No. 1160/2019 with the  
direction to comply with the directions of the Hon'ble High Court  
in the spirit of letter.



(Dr. Amarjeet K. Sharma)  
Director of Higher Education  
Himachal Pradesh  
email-ID-dhe-sml-hp@gov.in  
Ph.No. 0177-2656621

Endst. No. the Shimla dated: 07<sup>th</sup> February, 2020  
Copy for information to:-

1. The Principal Secretary (Education) to the Govt. of H.P.  
w.r.t. letter no. EDN(D)1/273/2019 dated 24<sup>th</sup> January, 2020  
for information please.
2. The T.O. IT Cell, Directorate of Higher Education with the  
direction to upload the same on departmental website.
3. Guard file.



Director of Higher Education  
Himachal Pradesh

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

CWP No. 1160 of 2019

Date of Decision: 08.01.2020

Vipin Kumar Guleria .....Petitioner

Versus

State of H.P. & others .....Respondents

*Coram*

*The Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge.*

*The Hon'ble Mr. Justice Chander Bhusan Barowalia, Judge.*

*Whether approved for reporting?*<sup>1</sup> *No.*

For the petitioner: Mr. R.L. Chaudhary and Mr. H.R. Sidhu,  
Advocates.

For the respondents : Mr. Vinod Thakur, Mr. Desh Raj Thakur,  
Addl. AGs with Ms. Svaneel Jaswal, Mr.  
Bhupinder Thakur and Mr. Narender Singh  
Thakur, Dy. AGs.

Tarlok Singh Chauhan, Judge (oral).

On 27.12.2019, this Court passed the following order:

*"Learned Additional Advocate General has placed on record office order dated 13<sup>th</sup> August, 2019, which reads as under:*

*"As you are aware that at present attendance in all Govt. offices is being marked in the Biometric Machine as per provision made in office Manual 2011 which provided "that all the officers/officials in H.P. as per provision 8.6.2 of office Manual 3<sup>rd</sup> edition, April 2011 Gazetted Government servants are not exempted from marking attendance."*

*Therefore, it has been decided by the Department to install the Biometric Machines in all*

<sup>1</sup> Whether reporters of Local Papers may be allowed to see the judgment? Yes.

Education, Himachal Pradesh, Shimla, are binding upon all, be it teaching or non-teaching staff in the Colleges, not only because of proprietary, but also because of conduct and other Rules governing conditions of service of the Government employees

4. Accordingly, we direct the entire teaching and non-teaching staff of all the Colleges situate in Himachal Pradesh including Vallabh Government College, Mandi, to mark their attendance through Biometric Machines forthwith, failing which, such teaching and non-teaching staff, who fail to mark his/her presence through Biometric Machines, shall not be paid salary for the day(s), when he/she refuses to mark his/her attendance as aforesaid. In addition thereto, such of the staff be it teaching or non-teaching shall be liable to be proceeded with departmental inquiry for violating the lawful instructions issued by respondent No. 2.

5. Needless to say that the Biometric Machines, so installed by the respondents shall be upgraded so as to ensure that the same can be connected or is connectable through INTERNET within six months from today.

6. The Secretary (Education) to the Government of Himachal Pradesh, is directed to circulate a copy of this order forthwith to all the Colleges in the State of Himachal Pradesh for compliance.