

(6)

No. EDN-HE(19)B(1)-8/2022-Contract-Regl.
Directorate of Higher Education,
Himachal Pradesh.

Dated: Shimla-171001, the April, 2022

ORDER

Whereas, the contract appointment in education department was contrary to R&P Rules and candidate of local employment exchange participated in selection process and initially it was stopgap arrangement. Whereas, Lecturer School cadre is state cadre. The Govt. after cabinet approval conveyed decision to regularized the service of those contractual who have complete 08 years of continues services as on 31.12.2004 from 01.01.2005 and those who are going to complete 08 years contract service as on 31.12.2005 w.e.f. 01.01.2006 however in approval it was mentioned that for contractual who will complete 08 years' service as on 31.12.2005 orders should be issued after 31.12.2005 i.e. regularization w.e.f. 01.01.2006. Thereafter Government had not given any approval to regularize the service of contractual till 09.09.2008. First time regularization policy for contractual was notified by DOP to the Government on 09.09.2008 and it was mentioned that those contractual who have complete 08 years services as on 31.03.2008 may be regularized after observing codal formalities. As per Govt. decision regularization granted to them after 08/09 years contract service itself is a generous gesture on the part of the Government since after regularization they have been given regular scale and is treated at par with other regular employee. This generous gesture shown by the Government is in deviation of the normal channel of recruitment. These contractual have filed various CWP's before the Hon'ble High Court of Himachal Pradesh.

And whereas Smt. Arpana Bali was appointed as a temporary measure on "Contract Basis" by the Principal GSSS Girls Chamba District Chamba as Lect. Music (Vocal) and she joined on 12.11.1998. Her services were regularized by the department vide office dated: 02.03.2009. She has filed CWP No. 1853 of 2009-D before the Hon'ble High Court of Himachal Pradesh which was disposed of on 10.04.2013 is as under: -

"19. Accordingly, there shall be a direction to the 2nd respondent to order the regularization of the petitioner on notional basis w.e.f. 1.1.2007, within a period of two months from the date of production of a copy of this order by the petitioner before the 2nd respondent. However, the due and admissible monitory benefits be restricted from the date of she had joined duties pursuant to the office order dated 02.03.2009, Annexure P-13."

And whereas, the matter was under consideration with the Govt. under which it has been conveyed vide letter no. EDN-C-B(15)10/2015 dated 05.10.2019 is as under:-

"Examined. Department is advised to settle the issue as per directions of the Hon'ble High Court. Further instructions dated 15.12.2011 and 07.01.2012 issued by Finance Department may also be kept in view by the Department."

And whereas, the cases of these petitioners were also taken up with the Government and it has been conveyed vide letter no. EDN-B-E(5)-9/2020 dated 29.12.2021 is as under: -

"The case of Arpana Bali was implemented as per the advice of the Law Department and Finance Department. The Director of Higher Education is directed to

consider the case and decided the CWP No. 89/2020 titled as Anil Rana Vs State of H.P. and others as per the advice of the Law Department and Finance Department in Arpana Bali's case provided that the CWP No. 89/2020 titled as Anil Rana Vs State of H.P. and other connected cases are similar to the case of Arpana Bali in CWP No. 1853/2009-D."

Now therefore, in view of the facts and circumstances of the case and as per order passed by the Hon'ble High Court in CWP No. 1853 of 2009-D and further approval conveyed by the Government vide letter No. EDN-B-E(5)-9/2020 dated 29.12.2021 the regularization in service to these contractual are hereby allowed date as shown in column 5.

Sr. No.	Name of the petitioner with place of posting at the time of filing CWP	Date of initial contract appointment	Date of earlier regularization allowed	Regularization being allowed in light of CWP No. 1853 of 2009-D Arpana Bali Vs State.
1	2	3	4	5
1	Rajeev Kumar Retd. Lect. Geography GSSS Ghumarwin (BLP)	29.10.1999	31.12.2008	01.01.2008
2	Vijay Kumar Lect. Pol. Science GSSS Dhadu (CBA)	17.11.1999	31.12.2008	01.01.2008
3	Sanjay Thakur Lect. Economics GSSS Samour (MND)	16.10.1998	31.12.2008	01.01.2007
4	Punam Kumari Lect. English GSSS Sarkaghat (MND)	19.05.1998	31.12.2008	01.01.2007
5	Babita Mahajan Lect. History GSSS Lodhwan (KGR)	25.07.1998	31.12.2008	01.01.2007
6	Bindu Parmar Lect. English GSSS Boys Chamba (CBA)	01.01.1999	31.12.2008	01.01.2008
7	Jagdish Chand Verma Retd. Lect. Hindi GSSS Dev Bharta (MND)	23.11.1998	31.12.2008	01.01.2007
8	Alka Sharma Lect. Sanskrit GSSS Karot (HMR)	04.01.2000	31.12.2008	31.12.2008
9	Anita Sharma Lect. English GMSSS Dharampur (SLN)	21.09.1998	31.12.2008	01.01.2007
10	Radhe Shyam Chauhan Lect. Commerce GSSS Kandaghat (SLN)	13.10.1998	31.12.2008	01.01.2007
11	Dinesh Kumar Tangraik Lect. Economics GSSS Kandaghat (SLN)	08.11.1999	31.12.2008	01.01.2008
12	Dinesh Kumar Sankhyan Lect. English GSSS Kothi (BLP)	05.03.2001	25.11.2009	25.11.2009
13	Yash Paul Singh Lect.	15.09.1998	31.12.2008	01.01.2007

	English GSSS Kaobil (SML)			
14	Sushma Gupta Retd. Lect. History GBSSS Nalagarh (SLN)	05.05.1998	31.12.2008	01.01.2007
15	Rattan Chand Lect. Economics GSSS Jaure Amb (HMR)	02.08.1999	31.12.2008	01.01.2008
16	Hem Raj Lect. Pol. Science GSSS Kot (BLP)	15.11.2000	25.11.2009	25.11.2009
17	Harnam Singh Banshtu Lect. Economics GSSS Dalgaon (SML)	07.12.1999	31.12.2008	01.01.2008
18	Shashi Kiran Retd. Lect, Pol. Science GSSS Subathu (SLN)	03.07.1999	31.12.2008	01.01.2008
19	Sarita Sharma Lect. Economics GSSS Raisari (KGR)	11.10.1999	31.12.2008	01.01.2008
20	Vinod Kumar Lect. Pol. Science GSSS Naura (KGR)	12.10.1999	31.12.2008	01.01.2008
21	Neelam Sharma Lect. Hindi GSSS Majahwar (MND)	01.01.1997	01.01.2006	01.01.2006
22	Gurpal Singh Lect. Hindi GSSS Tamber (KGR)	09.06.1998	31.12.2008	01.01.2007
23	Mahender Kumar Lect. History GSSS Jadli (SLN)	04.12.1998	31.12.2008	01.01.2007
24	Kanta Katoch Retd. Lect. Pol. Science GSSS Sahaura (KGR)	26.09.1998	31.12.2008	01.01.2007
25	Papendera Rana Retd. Lect. History GSSS Bhawarna (KGR)	08.07.1998	31.12.2008	01.01.2007
26	Dhayan Singh Lect. History GSSS Kotli (MND)	04.09.1998	31.12.2008	01.01.2007
27	Gopal Singh Lect. Economics GSSS Salogra (SLN)	06.04.2000	31.12.2008	31.12.2008
28	Bhupender Singh Lect. Pol. Science GSSS Nainatikker (SMR)	19.09.1998	31.12.2008	01.01.2007
29	Uma Thakur Lect. Pol. Science GSSS Bhoj Anji (SLN)	18.09.1998	31.12.2008	01.01.2007
30	Anita Nagraik Lect. GGSSS Lakkar Bazar (SML)	30.11.1996	01.01.2006	01.01.2006
31	Aruna Mehra Lect. Hindi GSSS Bhoda (KGR)	21.07.1998	31.12.2008	01.01.2007
32	Lek Raj Lect. Pol. Science	17.10.1998	31.12.2008	01.01.2007

	GSSS Mandhala (SLN)			
33	Sushil Kumar Lect. Pol. Science GSSS Delgi (SLN)	23.10.1997	01.01.2006	01.01.2006
34	Prem Dutt Sharma Lect. Hindi GSSS Kakkar Hatti (SLN)	11.10.1999	31.12.2008	01.01.2008
35	Om Prakash Sharma Lect. Pol. Science GSSS Sari (SML)	08.10.1998	31.12.2008	01.01.2007
36	Babita Thakur Lect. History GSSS Harabag (MND)	19.01.2000	31.12.2008	31.12.2008
37	Girija Lect. Sociology GSSS Rakkar (KGR)	17.12.1996	01.01.2006	01.01.2006
38	Hemant Sharma Lect. Economics GSSS Rajri Jabli (SLN)	04.11.1999	31.12.2008	01.01.2008
39	Pavnesk Kumari Retd. Lect. Hindi GSSS Rakkar (KGR)	02.07.1998	31.12.2008	01.01.2007
40	Bhagwan Singh Lect. Economics GBSSS Rohru (SML)	07.06.1999	31.12.2008	01.01.2008
41	Radha Verma Lect. Hindi GSSS Kiartoo (SML)	01.09.1998	31.12.2008	01.01.2007
42	Ritu Sood Lect. English GSSS Kotla Kalan (UNA)	26.11.1998	31.12.2008	01.01.2007
43	Rajesh Kumar Sharma Lect. Maths GSSS Bahadpur (KGR)	16.12.1997	31.12.2008	01.01.2007
44	Dakshina Gupta Lect. Hindi GSSS Kataula (MND)	18.11.1998	31.12.2008	01.01.2007
45	Rajan Sharma Lect. Pol. Science GGSSS Chalet (UNA)	15.11.2000	01.02.2009	01.02.2009
46	Avinder Singh Thakur Lect. Pub. Add. GSSS Gondpur Banehra (UNA)	01.11.1998	31.12.2008	01.01.2007
47	Shen Lata Lect. Commerce GSSS Raja Ka Talab (KGR)	01.07.1999	31.12.2008	01.01.2008
48	Sanjay Kumar Sharma Lect. English GSSS Urla (MND)	14.11.2000	25.11.2009	25.11.2009
49	Kanchana Devi Lect. Hindi GSSS Paplah (KGR)	26.10.1999	31.12.2008	01.01.2008
50	Neelam Devi Lect. English GSSS Dhang (SLN)	06.10.1998	31.12.2008	01.01.2007
51	Meena Sharma Lect. Music DIET Dehlan (UNA)	15.09.1998	31.12.2008	01.01.2007
52	Trilok Chauhan Retd. Lect. Economics GBSSS Jubbal	29.04.1998	31.12.2008	01.01.2007

	(SML)			
53	Om Bansal Lect. History GSSS Trilokpur (SMR)	18.06.1998	31.12.2008	01.01.2007
54	Rekha Bhota Lect. Maths GSSS Phagoo (SMR)	29.06.1998	31.12.2008	01.01.2007
55	Sudesh Kumari Lect. Commerce GSSS Uhal (HMR)	28.06.1999	31.12.2008	01.01.2008

The Principal's concerned schools are hereby directed to fix the pay of Lecturer school in regular scale of Rs. 10300-34800 + 4200 Grade Pay with initial start of Rs. 12090+4200 Grade Pay and others allowances as admissible from time to time and the arrear be released as per **Finance Department Instructions dated 07.01.2012 and 15.12.2011** and the entry in this regard may also be made in the service book of the petitioners. May inform the parties accordingly.

(Dr. Amarjeet K. Sharma)
Director Higher Education,
Himachal Pradesh, Shimla-I

Endst. No. Even Dated: Shimla-171001, the **April, 2022**

Copy forwarded for information and necessary action to:-

1. The Principal Secretary Education to Govt. of Himachal Pradesh w.r.t. letter No. EDN-B-E(5)-9/2020 dated 29.12.2021.
2. The concerned Deputy Director of Higher Education Himachal Pradesh.
3. The concerned Principal Govt. Senior Secondary Schools Himachal Pradesh.
4. DA dealing with Lecturer/Lecturer (School-New) Seniority/Pay fixation/ ACPs for necessary information.
- ✓ 5. In-charge IT Cell to upload the same on departmental website.
6. Guard file.

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