

Copy of the letter No. Fin(TR)B(7)-14/2013 dated 23.07.2014-2014 received from the Principal Secretary (Finance) to the Govt. of Himachal Pradesh.

Subject :- Speaking orders in compliance of Hon'ble High Court Orders.

It has been brought to the notice of this department by various Treasury Officers that Hon'ble High Court while deciding cases of Para Teachers, contract Teachers etc. orders that the Competent Authority i.e. Directors shall decide the similarity of cases with that of others cases referred to in the petitions. Normally benefits are ordered to be granted if the petitioners are similarly situated with that of petitioners in CWP(T) 14232/2008 (Nek Ram verses State) and in LPA 105/2010. In all such cases bills are presented by the DDOs without any speaking orders from Competent Authority adjudging whether the case is similar or not. In many cases, it is found that the cases are not similarly situated and hence no claim is due to the claimants. Despite clear instructions from Finance Department, such claims are presented in Treasuries without speaking orders leaving it open to litigation.

It is, therefore, requested that in all cases where petitioners/claimants are to be adjudged as similarly situated, the cases may be examined and decided by way of speaking orders. All DDOs may also be directed to attach this speaking order with the claims being presented in the Treasuries.


Directorate of Hr. Education
Himachal Pradesh

Sd/
Special Secretary(Finance)-cum-Director
Treasuries, Accounts and Lotteries, H.P.

Endst. No. EDN-H(1)B(15)1/2009- Imp. Instt. Dated Shimla - 171001 the
Copy for information and further necessary action is forwarded to :-

6/8/2014.

1. The Principal Secretary(Finance) to the Govt. of HP w.r.t. letter No. Fin(TR)B(7)-14/2013 dated 23.07.2014 for information please.
2. The Principal Secretary (Education) to the govt. of Himachal Pradesh
3. The Additional Director of Hr. Education (Adm.), H.P.
4. The Addl. Director Director of Hr. Education (S) , H.P.
5. The Joint Director of Hr. Education, C-I/ C-II, H.P.
6. The Joint Controller (F&A), Dte. of Hr. Education, H.P.
7. The OSD(C)/ OSD(Skt.) Directorate of Hr. Education, H.P.
8. All the Principals of Govt. Degree Colleges/GCTE Dharamshala & Skt. in the H.P.
9. All Deputy Directors, Dte. of Hr. Education, H.P.
10. All the Deputy Directors of Hr. Education in the Pradesh with the remarks that same letter be circulated to all offices/ institutions under your control.
11. The PS to the Director of Higher Education, H.P.
12. The Technical Officer, Dte. of Hr. Education, H.P. (for the uploading on deptt. Website).
13. All the Superintendents/Branch Officers in the Directorate of Hr. Education, H.P.
14. Guard File.


Director of Hr. Education
Himachal Pradesh