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

Dated: Shimla-171001, the 20 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."

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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	Chinta Mani Lect. Pol. Science GSSS Kunhoo (MND)	21.08.1998	31.12.2008	01.01.2007
2	Digvijay Lect. Sanskrit GSSS	30.09.2001	27.07.2010	27.07.2010
3	Randhir Singh Thakur Lect. English GSSS Chowai (KLU)	25.09.1998	31.12.2008	01.01.2007
4	Ram Singh Thakur Lect. History GSSS Namhong (KLU)	30.09.1998	31.12.2008	01.01.2007
5	Kanwar Singh Lect. Economics GSSS Sarahar (KLU)	25.09.1998	31.12.2008	01.01.2007
6	Lalita Kumari Lect. History GGSSS Solan (SLN)	10.09.1998	31.12.2008	01.01.2007
7	Sunil Kumar Lect. Pyschology GSSS Kakkar (HMR)	01.12.1999	31.12.2008	01.01.2008
8	Sarita Sharma Lect. Pol. Science ANSGMSSS Badhera Rajputan (UNA)	10.06.1999	31.12.2008	01.01.2008
9	Meera Devi Lect. History GSSS Sehorpain (KGR)	19.12.1998	31.12.2008	01.01.2007
10	Kanchan Sharma Lect. Hindi GSSS Marwari (UNA)	15.12.1999	31.12.2008	01.01.2008
11	Suman Bala Lect. History GSSS Santokhgarh (UNA)	20.10.1998	31.12.2008	01.01.2007
12	Lovkeshi Thakur Lect. Pol. Science GSSS Dalhousie (CBA)	20.11.1998	31.12.2008	01.01.2007
13	Jagdish Chand Lect. Hindi GSSS Pukhri (CBA)	27.07.1998	31.12.2008	01.01.2007

14	Trilok Kumar Lect. History GSSS Kohlari (CBA)	27.07.1998	31.12.2008	01.01.2007
15	Shashi Rattan Lect. Economics GSSS Jwalamukhi (KGR)	05.10.1999	31.12.2008	01.01.2008
16	Dharam Pal Thakur Lect. English GSSS Nand (SLN)	05.05.1998	31.12.2008	01.01.2007
17	Ravi Nandan Lect. Pol. Science GSSS Reru (SLN)	05.05.1998	31.12.2008	01.01.2007
18	Pratap Singh Lect. Commerce GSSS Diggal (SLN)	06.07.1998	31.12.2008	01.01.2007
19	Sunil Kumar Lect. Hindi GSSS Kunadlu (SLN)	05.05.1998	31.12.2008	01.01.2007
20	Neelam Kumari Lect. History GGSSS Nalagarh (SLN)	29.06.1998	31.12.2008	01.01.2007
21	Nirmala Devi Lect. English GSSS Ratwari (SLN)	17.06.1998	31.12.2008	01.01.2007
22	Bhagwati Devi Lect. Hindi GSSS Majholi (SLN)	26.11.1998	31.12.2008	01.01.2007
23	Ashok Kumar Chaddha Lect. Commerce GSSS Gandhir (BLP)	27.08.1999	31.12.2008	01.01.2008
24	Thakur Sain Lect. Pol. Science GSSS Parwanoo (SLN)	01.07.1998	31.12.2008	01.01.2007
25	Ravinder Kumar Verma Lect. History GSSS Kasauli (SLN)	26.10.1999	31.12.2008	01.01.2008
26	Kishori Lal Sharma Lect. History GSSS Samaila (MND)	17.02.2004	18.12.2014	18.12.2014
27	Kangru Ram Lect. Pol. Science GSSS Tal (HMR)	01.12.1999	31.12.2008	01.01.2008
28	Yashpal Rajta Lect. Pol. Science GSSS Khunni (SML)	16.12.1998	31.12.2008	01.01.2007
29	Ram Lal Sharma Lect. Pol. Science GSSS Bakhalag (SLN)	20.11.1998	31.12.2008	01.01.2007
30	Rajesh Kumar Lect. English GSSS Darbiar (HMR)	13.12.1999	31.12.2008	01.01.2008
31	Santosh Kumari Lect. Hindi GSSS Tal (HMR)	13.12.1999	31.12.2008	01.01.2008
32	Lekh Raj Sharma Lect. Pol. Science GSSS Maloh (MND)	29.01.2004	18.12.2014	18.12.2014

33	Bimla Devi Lect. Hindi Khaneti Sadoch (SML)	10.11.1997	31.12.2008	01.01.2007
34	Krishna Kanwar Retd. Lect. Hindi GSSS Kufri (SML)	17.10.2000	25.11.2009	25.11.2009
35	Sajida Begam Lect. Pol. Science GSSS Toka Nagla (SMR)	10.11.1998	31.12.2008	01.01.2007
36	Saroj Bala Gupta Lect. History GSSS Kanger Dharyar (SMR)	11.09.1998	31.12.2008	01.01.2007
37	Dev Dutt Saini Lect. Commerce GGSSS Nahan (SMR)	21.12.2002	15.09.2011	15.09.2011
38	Prakash Chand Lect. Pol. Science GSSS Salaon (BLP)	04.11.2000	25.11.2009	25.11.2009
39	Brij Lal Thakur Lect. English GSSS Duttnagar (SML)	12.07.1999	31.12.2008	01.01.2008
40	Balak Ram Verma Retd. Lect. History GSSS Dhar Tarpunoo (SML)	19.10.2000	25.11.2009	25.11.2009

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 20 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.



Director Higher Education,
Himachal Pradesh, Shimla-I
E-mail: dhe-sml-hp@gov.in
Tel. No. 0177-2653120