

No. EDN-HE(19)B(1)-2/2023-PTA-CC  
Directorate of Higher Education,  
Himachal Pradesh

12 JAN 2024

Dated Shimla-171001 the Jan.2024

**ORDER**

**Whereas**, the petitioners were initially engaged as Lecturer (School New) in different subjects as per the PTA (GIA) Policy 2006 during the year 2006, 2007 and 2008. Thereafter, the Government of H.P. took a conscious decision to take over the services of PTA GIA provided teachers on contract basis vide notification dated 16.08.2013. However, the decision of Government to convert PTA GIA teachers on contract basis was challenged by Sh. Pankaj Kumar by filing CWP No.6916 of 2011-H in the Hon'ble High Court of H.P. which was decided on 09.12.2014 in favour of PTA-GIA contract teachers and accordingly the services of PTA GIA provided Lecturers were taken over on contract basis in the year of January, 2015. In the meantime, the decision of Hon'ble High Court of H.P. dated 09.12.2014 was further agitated before the Hon'ble Apex Court of India by way of filing SLP No. 1426/2015 & connected matters and Hon'ble Apex Court ordered on dated 22.01.2015 that "Status qua be maintained till further orders to the contrary". Similarly, the orders dated 09.12.2014 in CWP No. 7728/2013 were also challenged by Kushal Kumari and another wherein the Hon'ble Supreme Court passed interim order on 09.03.2015 that status qua be maintained till orders to the contrary. The SLP No.s 6644/15, 6090/2015 and 7709/2015 were converted into Civil Appeals bearing CA No. 2813/2017, 2814/2017 and 2815/2017 and same were dismissed by the Hon'ble Supreme Court on dated 17.04.2020.

**And whereas**, after dismissal of SLPs/ Civil Appeals, the Government conveyed the approval to regularize the services of PTA GIA provided teachers taken over on contract basis as well as left out PTA GIA teacher whose services could not be taken over on contract basis due to various reasons with immediate effect vide letter No. EDN-A-Kha(7)06/2012-Loose-I dated 05.08.2020. After the Govt. approval, the bio-data of PTA-GIA contract teachers as well as left out PTA GIA Teachers were collected and after observing all codal formalities regularization orders were issued vide office order No. EDN-HE(19)B(1)-2/2012-PTA-CC dated 20.08.2020 subject to final outcome of the CWP No. 2850/2020.

**And whereas**, the services of the PTA GIA provided teachers whose services were taken over on contract basis by the Department in the year of 2015 could not be regularized after completion of three years continuous services on contract basis during the year of 2018 as the appointment of PTA GIA provided teachers matter was pending for adjudication before Hon'ble Apex Court whereas the services of those teachers who were

appointed on contract basis as Lecturer (School New) in the year of 2015 through direct recruitment and completed 03 years of continuous services on contract basis as on 31.03.2018 were regularized vide office order No. EDN-H(19)(1)-8/2012-Cont. Regl. dated 02.06.2018 as per the provision of Govt. of HP Department of Personnel letter dated 11.05.2018.

**And whereas,** feeling aggrieved, the PTA GIA teachers filed CWP No 342/2021 titled as Yashwant Singh & Ors vs State of HP before the Hon'ble High Court to regularize their services w.e.f. 01.04.2018 at par with the teachers who were appointed in the department through direct recruitment and completed 3 years contractual service as on 31.03.2018 and the Hon'ble High Court has allowed the same vide its order dated 31.08.2022.

**And whereas,** the matter was taken up with the Govt. for approval to regularize the services of the petitioners. The Govt. had directed to file SLP in the matter before the Hon'ble Supreme Court of India. The state has filed SLP(C) No 6966/2023, which was listed on 24.04.2023, on that day the same was dismissed. On dated 24.04.2023, the petitioners filed Ex. Pet. No 86/2023 to execute the order dated 24.04.2023 passed by the High Court. The matter was taken up with the Govt. for necessary directions regarding benefit of regularization of services w.e.f. 01.04.2018 along with all consequential benefits vide dated 31.05.2023 in which Government vide letter No. EDUA-E005/4/2023-EDU-A dated 02.09.2023 and dated 04.12.2023 conveyed the approval to regularize the services of the petitioners in CWP No. 342/2021 and clubbed petitions and the similarly situated to judgment passed by the Hon'ble High Court in Execution Petition No. 86/2023 in CWP 342/2021 titled as Yashwant Singh & Ors. Vs State of HP w.e.f. 01.04.2018.

**Now therefore,** in view of above facts and circumstances of the case and in compliance to the approval received from the Govt. vide letter dated 02-09-2023 and 04.12.2023 the following petitioners Lecturers (School New) in CWP No. 342/2021 (clubbed matters and similarly situated) whose services were brought on contract basis in Jan.2015 and their services were regularized vide office order No. EDN-HE(19)B(1)-2/2012-PTA-CC dated 20.08.2020 are hereby regularized w.e.f. 01.04.2018 with all consequential benefits. The consequential benefits regarding monetary benefits to the petitioners will be released as per Hon'ble court order in Ex. Pet No 86/2023 dated 13.09.2023 i.e. 40% of arrears payable according to pre-revised scale may be paid by 31.12.2023 and remaining 60% arrears in two equal annual installments may be paid by 31.12.2024 and 31.12.2025 by calculating difference of pay of the petitioners on the basis of pre-revised scale for the period from 01.04.2018 till the earlier date of regularization by the State. It is further directed that arrears on the basis of revision of pay scale shall be paid, as per the instructions issued by the Finance Department H.P.

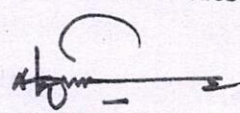
vide letter No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022 and letter No. Fin-E-I-C(17)-6/08 dated 07.01.2012.

S.No	Name of Lect	Subject	Place of posting	Distt	Category	DOB	DOE on PTA	Dt of Taken over on contract	CWP No
1	Neelam Chandel	Hist	Samaila	MND	Gen	03.11.1976	26.09.2007	03.01.2015	CWP No. 7747/2023
2	Nisha Kumari	Pol.Sc.	Paroian	UNA	Gen	14.02.1981	21.09.2007	03.01.2015	CWP No. 10877/2023
3	Manoj Kumar	Eng.	Baloh	BLP	Gen	09.01.1974	21.09.2007	03.01.2015	CWP No. 10877/2023
4	Sneh Lata Verma	Hist	Kashmaila	BLP	Gen	17.03.1977	25.09.2007	07.01.2015	CWP No. 10877/2023
5	Vinod Kumar	Comm	Ranikotla	BLP	Gen	18.05.1974	06.09.2007	07.01.2015	CWP No.10877/2023
6	Seema Devi	Eng	Baroor	CBA	ST	03.08.1981	17.08.2007	07.01.2015	CWP No. 10877/2023
7	Manju Rani	Hist	Chattar	KGR	Gen	30.12.1981	03.10.2006	07.01.2015	CWP No. 6902/2023
8	Balwan Singh	Eco	Samote	CBA	Gen	01.02.1977	29.06.2006	15.01.2015	CWP No. 10877/2023
9	Virender P. Sharma	Eng.	Gaarli	HMR	Gen.	25.05.1966	01.09.2006	03.01.2015	CWP No. 10877/2023
10	Veena Kumari	Hist	Barsar	HMR	Gen.	10.09.1969	01.09.2006	03.01.2015	CWP No. 10877/2023
11	Vijay Kumar	Pol.Sc.	Dandroo	HMR	Gen.	07.07.1974	25.08.2006	03.01.2015	CWP No.7663/2022
12	Madhu	Hindi	Dagla	KGR	GEN	04.09.1973	01.09.2006	03.01.2015	CWP No. 6902/2023
13	Alpna Rani	Maths	Raja-Ka-Talab	KGR	Gen	28.02.1980	01.11.2006	03.01.2015	CWP No. 6902/2023
14	Sudhir Kumar	Chem.	Fatehpur	KGR	Gen	19.07.1981	01.09.2006	03.01.2015	CWP No. 6902/2023
15	Kewal Singh	Pol.Sc.	Barot	KGR	Gen	06.06.1974	01.09.2006	03.01.2015	CWP No. 6902/2023
16	Meera Devi	Hindi	Majheen	KGR	Gen	20.12.1967	06.12.2006	03.01.2015	CWP No. 10877/2023
17	Parveen Kumari	Hist	Ghaniara	KGR	OBC	20.10.1975	25.09.2007	03.01.2015	CWP No. 7663/2022
18	Kamal Kumar	Hist	Harsar	KGR	OBC	19.09.1974	27.09.2007	03.01.2015	CWP No. 8084/2023
19	Reena Devi	Pol.Sc.	Hatwas	KGR	Gen	08.12.1976	11.09.2007	03.01.2015	CWP No. 10877/2023
20	Pooja Rana	Eng.	Balakupi	KGR	Gen	14.02.1983	22.09.2007	03.01.2015	CWP No. 10877/2023

21	Iqwal Singh	Comm	Bharmar	KGR	Gen	26.01.1976	22.09.2007	07.01.2015	CWP No.6902/2023
22	Ramesh Kumar	Hist	Aerla	KGR	Gen	21.09.1963	22.09.2007	07.01.2015	CWP No. 7663/2022
23	Mona Rana	Maths	Balakrupi	KGR	Gen	11.05.1978	04.07.2007	07.01.2015	CWP No. 10877/2023
24	Ranjana	Hist	Gharana	KGR	Gen	14.04.1974	21.11.2006	07.01.2015	CWP No. 10877/2023
25	Chetna	Eng	Hatwas	KGR	Gen	25.07.1976	14.09.2006	07.01.2015	CWP No. 10877/2023
26	Bharat Bhushan Singh	Eng	Jachh	KGR	ST	14.05.1977	13.12.2006	07.01.2015	CWP No. 10877/2023
27	Sudhir Kumar Sharma	Chem	Rey	KGR	Gen	05.06.1977	19.08.2006	07.01.2015	CWP No. 6902/2023
28	Minakshi	Hindi	Jachh	KGR	Gen	04.03.1977	12.12.2006	15.01.2015	CWP No. 6902/2023
29	Aruna Kumari	Comm	Fatehpur	KGR	Gen	11.11.1973	01.09.2006	15.01.2015	CWP No. 6902/2023
30	Dilbag	Music (V)	Amni	KGR	OBC	06.01.1974	19.10.2004	20.01.2015	CWP No. 7267/2023
31	Manju Bala	Eco.	Goshal at Bahang	KLU	ST	04.06.1979	29.06.2006	03.01.2015	CWP No.10877/2023
32	Chandravati	Pol.Sc.	Peej	KLU	Gen	15.12.1983	24.09.2007	03.01.2015	CWP No. 10877/2023
33	Jagjeewan Ram	Eng.	Pujali	KLU	Gen	15.3.1977	09.10.2007	03.01.2015	CWP No.10877/2023
34	Partap Singh	Hindi	Pujali	KLU	Gen	20.01.1979	09.10.07	03.01.2015	CWP No.10877/2023
35	Lal Chand	Comm	Jaon	KLU	Gen	15.01.1974	24.09.2007	07.01.2015	CWP No.10877/2023
36	Inder Singh	Eco	Bhalyani	KLU	Gen	03.05.1976	22.09.2007	07.01.2015	CWP No.10877/2023
37	Om Parkash	Hindi	Marothi	MND	Gen	01.04.1974	01.12.2006	07.01.2015	CWP No. 5548/2020
38	Devender Singh	Hist	Banjar	KLU	Gen	08.04.1975	22.09.2007	07.01.2015	CWP No. 10877/2023
39	Shalini Sharma	Phy	Bran	KLU	Gen	03.01.1980	01.12.2006	07.01.2015	CWP No. 10877/2023
40	Vidya Kumari	Pol Sc	Neul	KLU	OBC	24.02.1978	25.09.2007	07.01.2015	CWP No. 10877/2023
41	Aruna Kumari	Hindi	Kamlahfort	MND	Gen	15.05.1983	09.10.2007	07.01.2015	CWP No. 6718/2023
42	Rekha Devi	Skt	Gallian	BLP	Gen	28.10.1977	21.09.2007	07.01.2015	CWP No. 10877/2023
43	Virender Paul Singh	Eco	Ootpur	MND	Gen	16.02.1972	29.06.2006	07.01.2015	CWP No. 7526/2023
44	Meenakshi Devi	Skt	Chautra	MND	Gen	20.06.1979	22.08.2006	07.01.2015	CWP No.6831/2023

45	Harphool Singh	Eng.	Kewar	SML	Gen.	10.07.1972	30.08.2006	03.01.2015	CWP No.10877/2023
46	Lal Dei	Eng	Kaflah	SML	ST	21.03.1977	21.07.2007	07.01.2015	CWP No. 10856/2023
47	Kedo Devi	Eco	Kaflah	SML	Gen.	02.10.1979	21.07.2007	07.01.2015	CWP No. 10846/2023
48	Anil Kumar	Eco	Mandal	SML	Gen.	06.06.1980	21.08.2006	07.01.2015	CWP No. 10877/2023
49	Punam Chauhan	Hindi	Narkanda	SML	Gen.	15.02.1981	14.09.2007	15.01.2015	CWP No. 10877/2023
50	Sanjeev Kumar	Eco.	Sansarpur Terrace	KGR	Gen	09.04.1975	08.09.2006	03.01.2015	CWP No. 7641/2022

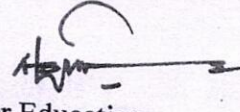
Other terms and condition remained unchanged as mention vide this directorate order No. EDN-HE(19)B(1)-2/2012-PTA-CC dated 20.08.2020. Present DDO will ensure compliance of Court cases.

  
(Dr. Amarjeet K. Sharma)  
Director Higher Education  
Himachal Pradesh

Endst. No. Even dated: Shimla-1; the Jan.2024

Copy forwarded for information and necessary action to: -

- 1 The Secretary (Education) to the Govt. of Himachal Pradesh w.r.t. his office letter No. EDUA-E005/4/2023-EDU-A dated 02.09.2023 and dated 04.12.2023
- 2 The District Attorney, (Internal) Directorate of Higher Education HP, Shimla-1
- 3 All the DTO concerned.
- 4 All the Dy Directors of Higher Education concerned in HP.
- 5 All the present DDOs/Principals in GSSSs/DIETs concerned.
- 6 All the petitioners concerned.
- 7 TO, IT Cell (Int) with the request to upload this order on the departmental website.
- 8 Guard file.

  
Director Higher Education  
Himachal Pradesh

