

No. EDN-HE(19)B(1)-8/2012-Contract-Regl. (2)  
Directorate of Higher Education,  
Himachal Pradesh.

Dated: Shimla-171001, the 20, December, 2022

**ORDER**

Whereas, contract appointment were made in the Education department as per Government policy 23.08.1994 later on their services were regularized after 08 years continuous service as per Government approval. But some of contractual were retrenched due to joining of regular hand hence junior contractual were regularized in the department earlier and senior later as "last come first go" principle was not followed while terminating their contract service. Such retrenches either were re-engaged in the department on contract basis or they were given preference Para Teacher Policy notified by Government in the year 2003 and they were hired under Para Teacher Policy and regularized after completion of 10 year of continuous service in year 2014 and 2015.

And whereas, the judgment passed by the Hon'ble High Court of Himachal Pradesh in CWP(T) No. 5253 of 2008 dated 21.04.2010 is as under: -

*"Accordingly, in view of the observations, made hereinabove, the petition is allowed. The termination of the petitioner dated 22.05.2000 is declared illegal being violative of the principle of "last come first go". Respondents are directed to consider the case of petitioner for regularization as lecturer (School cadre) by taking into consideration his initial engagement w.e.f. 23.09.1998. The period of break in service between 22.05.2000 to 22.09.2001 is condoned. This period shall be counted for all intents and purposes, including seniority. Needful be done within a period of eight weeks from today. No costs."*

And whereas, CWP(T) No. 5253 of 2008 titled as Narain Singh versus State of HP was agitated by filing LPA No. 146/2010 before the Hon'ble High Court of HP which was disposed of on 01.09.2015 with other LPAs, operative part is as under:-

*"Keeping in view the statement made by the arguing counsel appearing on behalf of the writ petitioners-respondents herein, we deem it proper to modify the impugned judgments with a direction to the respondents to regularize the services of the writ petitioners-respondents herein from the date(s) their junior(s) came to be regularized with all consequential benefits. Consideration order(s) be passed within six weeks."*

And whereas, the judgment passed by the Hon'ble High Court of Himachal Pradesh in CWP No. 3151 of 2019 titled as Babita Rani Vs State of Himachal Pradesh on dated is as under: -

*"Consequently, the present petition is disposed of with a direction to the respondents to implement the judgment passed in Narain Singh's case (Supra) and extend the benefits to all the retrenched contractual teachers including the petitioner and also the non petitioners, if found to be similarly situated. Needful be done within six weeks from today."*

And whereas, the judgment passed by the Hon'ble High Court in LPA No. 146 of 2010 was further challenged by state in SLP No. 43319 of 2018 before the Hon'ble Apex Court of India which has dismissed on 14.12.2018 and matter has been taken with Government and Government convey the approval to implement the judgment vide letter No. EDN-B-E(5)-17/2018 dated 21.01.2021.

Now therefore, in view of the facts and circumstances of the case and as per order passed by the Hon'ble High Court in LPA No. 146 of 2010 and further approval conveyed by the Government vide letter No. EDN-B-E(5)-17/2018 dated 21.01.2021 the regularization in service

(1)

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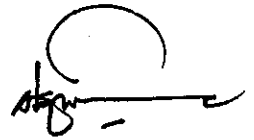
to these retrenches contractual are hereby allowed with all consequential benefits from the date when their junior in contract was regularized as shown below in column 6 by considering the initial contract engagement in relevant subject.

Sr. No.	Name and Designation of the petitioner with present place of posting	Date of initial contract appointment	Date of termination	Date of regularization allowed	Regularization allowed at par with the junior contractual regularized
1	2	3	4	5	6
1	Sujata Sharma Lect. Sanskrit GMSSS Katrain (KLU)	01.12.1998	22.05.2000	31.12.2008	01.01.2007
2	Ashok Kumar Lect. History GSSS Bhugnara (KGR)	05.11.1999	05.06.2000	31.12.2008	01.01.2008
3	Amrik Singh Lect. Hindi GSSS Baduhi (KGR)	28.10.1998	05.12.1998	31.12.2008	01.01.2007
4	Kulbushan Kumar Lect. History GSSS Girls Gangath (KGR)	10.12.1997	06.05.1998	31.12.2008	01.01.2006
5	Ashok Kumar Lect. Pol. Science GSSS Kotla Behar (KGR)	14.06.1999	28.05.2000	31.12.2008	01.01.2008
6	Rajinder Singh Lect. Economics GSSS Pargour (KGR)	08.06.1999	17.05.2000	31.12.2008	01.01.2008
7	Mukesh Kumar Lect. Economics GSSS Kachhiari (KGR)	01.12.1998	17.02.1999	31.12.2008	01.01.2007
8	Subhash Chand Lect. Economics GSSS Dadasiba (KGR)	05.02.1999	15.05.2000	31.12.2008	01.01.2008
9	Lalit Mohan Lect. Commerce GSSS Dhameta (KGR)	07.09.1998	05.10.1998	31.12.2008	01.01.2007
10	Avinesh Kumar Lect. Economics GSSS Malal (CBA)	10.11.1999	17.05.2000	31.12.2008	01.01.2008
11	Karam Singh Lect. History GSSS Tissa (CBA)	22.10.1999	19.05.2000	31.12.2008	01.01.2008
12	Shiwani Lect. Economics GSSS Kakira (CBA)	04.10.1999	23.05.2000	31.12.2008	01.01.2008
13	Ramji Lal Negi Lect. Economics GSSS Ribba (KNR)	16.06.1999	22.05.2000	31.12.2008	01.01.2008
14	Rajni Devi Lect. Hindi GSSS Pandoh (MND)	19.01.2000	23.05.2000	31.12.2008	31.12.2008
15	Sanjay Thakur Lect. Economics GSSS Samour (MND)	16.10.1998	12.05.2000	01.01.2007	01.01.2007
16	Sant Ram Lect. Hindi GSSS Samour (MND)	05.06.1998	31.05.2000	01.01.2007	01.01.2007
17	Hem Raj Lect. Hindi GSSS Behli (MND)	09.07.1998	15.05.2000	31.12.2008	01.01.2007

18	Malkiat Singh Lect. Pol. Science GSSS Andora (UNA)	18.06.1998	23.10.1998	01.01.2007	01.01.2007
19	Anjana Sharma Lect. Sanskrit GSSSS Mubarikpur (UNA)	23.10.1997	15.05.2000	01.01.2006	01.01.2006
20	Harnam Singh Banshtu Lect. Economics GSSS Dalgaon (SML)	07.12.1999	22.06.2000	01.01.2008	01.01.2008
21	Shashi Kiran Lect. Pol. Science GSSS Subathu (SLN)	03.07.1999	12.05.2000	01.01.2008	01.01.2008
22	Sarita Sharma Lect. Economics GSSS Raisari (KGR)	11.10.1999	16.05.2000	01.01.2008	01.01.2008
23	Vinod Kumar Lect. Pol. Science GSSS Naura (KGR)	12.10.1999	22.05.2000	01.01.2008	01.01.2008
24	Neelam Sharma Lect. Hindi GSSS Majahwar (MND)	01.01.1997	28.02.1997	01.01.2006	01.01.2006
25	Gurpal Singh Lect. Hindi GSSS Tamber (KGR)	09.06.1998	12.05.2000	01.01.2007	01.01.2007
26	Mahender Kumar Lect. History GSSS Jadli (SLN)	04.12.1998	29.05.2000	01.01.2007	01.01.2007
27	Kanta Katoch Lect. Pol. Science GSSS Sahaura (KGR)	26.09.1998	13.05.1999	01.01.2007	01.01.2007
28	Papendera Rana Retd. Lect. History GSSS Bhawarna (KGR)	08.07.1998	24.07.1999	01.01.2007	01.01.2007
29	Dhyan Singh Lect. History GSSS Kotli (MND)	04.09.1998	22.09.1998	01.01.2007	01.01.2007
30	Gopal Singh Lect. Economics GSSS Salogra (SLN)	06.04.2000	17.05.2000	31.12.2008	31.12.2008
31	Bhupender Singh Lect. Pol. Science GSSS Naina Tikker (SMR)	19.09.1998	20.11.1998	01.01.2007	01.01.2007
32	Uma Thakur Lect. Pol. Science GSSS Thana (SLN)	18.09.1998	12.11.1998	01.01.2007	01.01.2007
33	Anita Nagraik Lect. History GGSSS Lakkar Bazar (SML)	30.11.1996	24.12.1996	01.01.2006	01.01.2006
34	Aruna Mehra Lect. Hindi GSSS Bhoda (KGR)	21.07.1998	17.05.2000	01.01.2007	01.01.2007
35	Lekh Raj Lect. Pol. Science Mandhala (SLN)	17.10.1998	28.12.1998	01.01.2007	01.01.2007
36	Sushil Kumar Lect. Pol. Science GSSS Delgi (SLN)	23.10.1997	13.11.1998	01.01.2006	01.01.2006
37	Prem Dutt Sharma Lect. Hindi GSSS Kakkarhatti (SLN)	11.10.1999	27.05.2000	01.01.2008	01.01.2008

38	Om Prakash Sharma Lect. Pol. Science GSSS Arhal (SML)	08.10.1998	03.06.1999	01.01.2007	01.01.2007
39	Babita Thakur Lect. History GSSS Harabag (MND)	19.01.2000	15.05.2000	31.12.2008	31.12.2008
40	Girija Lect. Sociology GSSS Rakkar (KGR)	17.12.1996	03.09.1997	01.01.2006	01.01.2006
41	Hemant Sharma Lect. Economics GSSS Manjhol (D) (SLN)	04.11.1999	31.12.1999	01.01.2008	01.01.2008
42	Pavnesk Kumari Retd. Lect. Hindi GSSS Rakkar (KGR)	02.07.1998	15.05.1999	01.01.2007	01.01.2007
43	Bhagwan Singh Lect. Economics GBSSS Rohru (SML)	07.06.1999	14.05.2000	01.01.2008	01.01.2008
44	Radha Verma Lect. Hindi GSSS Sainj (SML)	01.09.1998	17.11.1999	01.01.2007	01.01.2007
45	Ritu Sood Lect. English GSSS Kotla Kalan (UNA)	26.11.1998	11.12.1998	01.01.2007	01.01.2007
46	Rajesh Kumar Sharma Lect. Maths GSSS Bahadpur (KGR)	16.12.1997	08.01.1998	01.01.2007	01.01.2007
47	Dakshna Gupta Lect. Hindi GSSS Kataula (MND)	10.11.1998	21.12.1998	31.12.2008	01.01.2007

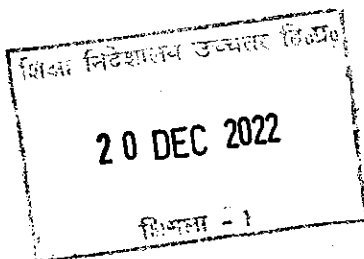
The Principal's of the concerned schools are directed to release the pay arrear as per Finance Department instruction No. Fin-E-1-C(17)-6/08 dated 07.01.2012. While calculating arrear already paid amount be adjusted. The ACP's and Seniority cases may also send to this Directorate within a week. May inform the parties accordingly.



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

Endst. No. Even Dated Shimla-171001, the **20, December, 2022**  
Copy forwarded for information and necessary action to:-

1. The Distt. Attorney (Education), Directorate of Higher Education, Himachal Pradesh.
2. The concerned Deputy Director of Higher Education Himachal Pradesh.
3. The Principal concerned school Himachal Pradesh.
4. In-charge IT Cell to uploade the same on departmental website.
5. DA dealing with Lecturer/Lecturer (School-New) Seniority /Pay fixation/ACPs.
6. Guard file.




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