

21 OCT 2023

No. EDN-HE(19)B(1)-7/2023-Contract Salary
Directorate of Higher Education
Himachal Pradesh

Dated: Shimla-171001 the Oct.2023

OFFICE ORDER

Whereas, the petitioners were appointed as Lecturer school cadre as temporary measure on "Contract Basis" on fixed pay of Rs. 1800/- by the department in the year 1998 and 1999. The services of applicants were regularized by the department vide order dated 01.01.2007 and 01.01.2008 as per instructions of the Govt. They had filed CWP No. 10871/2012 before the Hon'ble High Court & sought the benefit of verdict of LPA No. 105/2010. This CWP has been disposed of on 01.01.2013 with following directions:-

"The petitioners claim the benefit of revision of pay scale. The case of the petitioners for grant of regular/revised pay scale be considered within a period of two months in the light of the decision of this Court in LPA No. 105/2010. Petitioners will produce a copy of the judgment, referred to above, before the respondents concerned. The writ petition stands disposed of, so also the pending applications(s), if any."

And whereas, the SLP filed against the decision passed in LPA 105/2010 has been dismissed by the Hon'ble Apex Court on 09.07.2013. After due consideration, the Govt. has directed to implement the judgment passed in LPA 105/2010 and necessary guidelines with regard to admissibility of salary payable to contract were circulated vide letter No. EDN-C-E(1)6/2013 dated 14.11.2013. These instructions were further circulated to the field offices by the department vide instruction No. EDN-H(19)B(1)-7/2012-Contract-Salary dated 23.11.2013. According to these instructions, contractual Lecturer entitled to get Rs. 6400/- fixed prior to 31.12.2005 and Rs. 10300/- fixed after 01.01.2006.

And whereas, following Lecturers (School) also filed writ petitions as mentioned against each which has/have been disposed of with the direction to the respondents to comply with the judgment within stipulated period:

Sr.No	Name Design & place of posting of petitioners	CWPOA/CWP/ Ex Pet No
1	Sanjay Kumar Lect. Math, GSSS Bharmour, Distt. Chamba	Ex. Pet. No. 302/2023 in CWP. No 3711/2012
2	Meena Kumar, Lect. Hindi, GSSS Khani, Distt. Chamba	Ex. Pet. No. 302/2023 in CWP. No 3711/2012
3	Ambika Parsad, Lect. Hindi, GSSS Bharmour, Distt. Chamba	Ex. Pet. No. 302/2023 in CWP. No 3711/2012
4	Neelam Kumari, Lect. History, GSSS Bharmour, Distt. Chamba	Ex. Pet. No. 302/2023 in CWP. No 3711/2012

Now therefore, in view of the facts and circumstances the Principal concerned schools is/are hereby directed to release contract salary in r/o above mentioned Lecturer (School), as per instruction issued by the department on dated 23.11.2013 (vide which contractual Lecturer entitled to get Rs. 6400/- fixed prior to 31.12.2005 and Rs. 10300/- fixed after 01.01.2006) and compliance report be sent to this Directorate within a week and entry to this effect may be recorded in service book of petitioner concerned.

May inform the parties accordingly.

(Dr. Amarjeet K. Sharma)
Director of Higher Education
Himachal Pradesh
the Oct.2023

Endst. No. Even. Dated : Shimla-171001

Copies forwarded for information and necessary action to:-

- 1 The Distt. Attorney (Education) Directorate of Higher Education with reference to above mentioned petition.
- 2 The Deputy Director Higher Education Shimla Distt. Shimla Himachal Pradesh.
- 3 The Principals, Govt. Sr. Sec. School Shiwan Distt. Shimla Himachal Pradesh.
- 4 In charge IT (Int.) with the request to upload this order on Deptt. website for the information to all the concerned.
- 5 Guard file.

Director Higher Education
Himachal Pradesh