

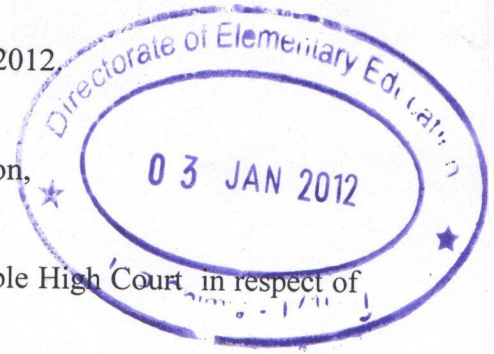
No:EDN-H(2)B(2)29/2010-11-Adhoc/Tenure
Directorate of Elementary Education,
Himachal Pradesh Lal Pani Shimla.
Dated Shimla-171001 the 2nd January 2012

To

All the Deputy Directors of Elementary Education,
Himachal Pradesh.

Sub: Regarding implementation of order of the Hon'ble High Court in respect of
Tenure Service benefits

Memo:

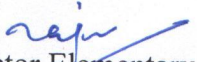


With reference to the representations received from different quarters on the subject cited above. It is clarified that the judgement rendered by the Hon'ble High Court of H.P. on 27.10.09 in the case of Ms.Thakuri Devi Vs. State of H.P.& others in CWP(T) No:4357 of 2008 with CWP(T) No:4356,4358,4359 and 4390 of 2008 it was held that petitioners are entitled for the benefits of tenure service (without break) for the purpose of increments and pension if it is followed by regular appointment. This order was challenged before the Hon'ble Supreme Court. But the Hon'ble Supreme Court rejected SLP, as such these orders have now become final.

In another case of tenure appointees the Hon'ble High Court has also held on 16.12.2010 in CWP No:4550/2008 titled as Ravi Kumar " *that the Tenure appointees in the Education Department if appointed without break in regular service shall be granted increments during the Tenure period and the said service shall be count for pension, as in the case of adhoc appointees in the Education Department.* "

In view of above, the tenure service rendered without break , if followed by regular appointment shall be counted for the purpose of increments in the cases of tenure appointees in the Education department. However, they will be granted these increments **on notional basis and actual financial benefits (arrears etc.) will be admissible to all the concerned from the date of regular appointment on the analogy of adhoc appointees.**

You are therefore, directed to settle all the concerned cases accordingly after verification from S.O.(F&A). It is further directed that arrears etc. be prepared in light of instructions contained in H.P.Govt. Finance (Pay Revision) Department O.M. No.FIN (PR)B(7)-2/2001 dated 15.1.2002 and O.M.No.FIN-(PR)B(7)2/2001 dated 31.5.2010. It may invariably be ensure that proper and appropriate entries in this regard are made in the service books of all concerned.

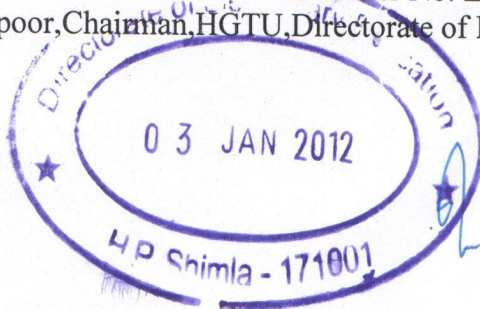

Director Elementary Education,
Himachal Pradesh.

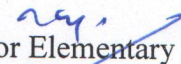
Encls:-Govt letter
dated 2.12.11 & 25.6.11

Endst No: even dated:-

Copy to:-

- 1.The Secretary (Education)to the Govt. of Himachal Pradesh w.r.t. letter No: EDN-C-B(15)22/2007-loose dated 25.6.11 and letter No. EDN-C-E(5)-29/2010-L dated 2.12.11
- 2.Sh.P.C.Kapoor, Chairman, HGTU, Directorate of Higher Education Shimla.




Director Elementary Education,
Himachal Pradesh.