



# Directorate Elementary Education, Haryana. मौलिक शिक्षा निदेशालय हरियाणा

शिक्षा, संस्कृति, एवं विकास  
Education, Culture and Development

School Education, Haryana  
विद्यालय शिक्षा, हरियाणा

तमसो मा ज्योतिर्गमय  
Lead me from Darkness to Light

## OFFICE OF DIRECTOR ELEMENTARY EDUCATION HARYANA PANCHKULA

Order No. 17/57-2022 TGT Pro.(2)

DATED, PANCHKULA, THE 8.05.2024

In Compliance of orders passed by the Hon'ble High Court on 06.05.2022 in CWP No. 9455 of 2022 titled as Pervin Kumar vs. State of Haryana & others, Sh.Pervin Kumar (1022450), JBT who possess the requisite qualification of TGT Sanskrit is hereby provisionally promoted with benefit of notional pay fixation/seniority not monetary benefit (arrears) against the post of TGT Sanskrit HES-III (School Cadre) w.e.f. 08.08.2018 in the pay matrix FPL-7 (44900-142400) as sanctioned by the Haryana Government from time to time in officiating capacity. The detail of employee is as under:-

Name, ID and Designation	Now Promoted	Present Place of Posting	District	Date of Promotion as a TGT Sanskrit w.e.f
Pervin Kumar (1022450), JBT	TGT Sanskrit	GPS Bass Satnali (15365)	Narnaul	08.08.2018

The above promotions subject to the following terms and conditions:-

1. That this promotion is subject to condition that all the particulars and data supplied by concerned employee and field office is correct. In the event of any information subsequently found to be factually or erroneous or mis-represented, the promotion so granted shall be withdrawn forthwith without affording any opportunity or assigning any reason. Hence, such promotion order is subject to review/cancellation in case of any discrepancy regarding eligibility is found at any stage.
2. If any, official is found senior to him/her at any stage due to re-fixation of his/her seniority, he/she shall be reverted without giving any notice if any senior JBT is found entitled for promotion and is eventually promoted by the department by virtue of his entitlement for promotion.
3. That this promotion is subject to the condition that no adverse remarks regarding integrity are found in his/her ACRs.
4. That seniority in the TGT/ Master cadre will be determined as per instructions/ Rules issued from time to time by the Government / Department.
5. That the teacher should fulfill the conditions of educational qualifications/ experience/ subject combination as per the Service Rules. In case, it transpires at any stage that the teacher is ineligible for this promotion, the teacher will be reverted to his/her original post without any notice.
6. That the posting order of the promoted teacher will be issued later on, separately.

Kamal Preet Kaur  
Additional Director Administration  
O/o Director General Elementary Education  
Haryana, Panchkula

Endst. No. Even

Dated, Panchkula, the 20.05.2024

A copy is forwarded to the following for information and necessary action:-

1. Principal Accountant General (A&E) Haryana, Chandigarh.




# Directorate Elementary Education, Haryana. मौलिक शिक्षा निदेशालय हरियाणा

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2. District Elementary Education Officers Narnaul. It is directed that it should be ensure that newly promotee have no pending enquiry under Rule 7/8 or criminal case is pending against newly promotee employee.
3. Heads of the institution concerned.
4. Sh. Pervin Kumar (1022450), JBT, GPS Bass Satnali (15365), District Narnaul.
5. Concerned Assistant-3 TGT Promotion Branch to fix the seniority of the above official.
6. Joint Director (IT Cell, HQ).

  
Assistant Director, TGT Promotion  
For Director General Elementary Education,  
Haryana, Panchkula



OFFICE OF DIRECTOR GENERAL ELEMENTARY EDUCATION  
HARYANA, PANCHKULA

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Order No. 17/57-2023 TGT Prom (3)

Dated, Panchkula, the 07.05.2024

The seniority of Smt. Bhawna [002845], C&V Hindi now working as ESHM is hereby fixed at 800-A provisionally (on the basis of their Date of Regular Joining as C&V Hindi) in the seniority list of C&V Hindi as on 30.11.2021 issued on 20.05.2022.

	Sen. No. as on 30.11.21	Emp Id. & Name	Designation	Place of Posting	Date of Birth	Date of Regular appointment as C&V teacher	Date of Regular Joining as C&V Teacher	Mode of Recruitment as C&V teacher (MIS Portal)	Category	Gender	District Name	Present Status on MIS
Senior	800	[050093] Hari Kishan	Hindi	GMS Gumti (5585)	07/12/1972	31/10/2000	31/10/2000	Direct	SC	Male	Panchkula	ESHM
1	800-A	[002845] Bhawna	Hindi	GSSS Khadri (279)	20/02/1974	23/10/2000	31/10/2000	Direct	Gen	Female	Yamuna Nagar	ESHM
Junior	801	[049432] Sanjay Kumar	Hindi	GMS Katkai (3813)	18/06/1974	06/10/2000	31/10/2000	Direct	Gen	Male	M/Garh	C&V

Kamal Preet Kaur  
Additional Director Admn.  
O/o Director General Elementary Education  
Haryana, Panchkula.

Endst No. Even

Dated Panchkula, the 21/5/24

A copy is forwarded to the following for information and necessary action:

1. District Elementary Education Officer, Yamunanagar.
2. Superintendent PGT-I Branch.
3. Superintendent ESHM Branch.
4. Head of Institution, Concerned.
5. Official, Concerned.
6. IT Cell.

Assistant Director (TGT Promotion)  
for Director General Elementary Education  
Haryana, Panchkula

**OFFICE OF ADDITIONAL CHIEF SECRETARY HARYANA, SCHOOL EDUCATION  
DEPARTMENT, PANCHKULA**

Order No. 14/67-2024PRT(ART)

Dated Panchkula the 18.03.2024

Smt. Lalita, JBT[1003888], GMSPS, Railway Gate, Charkhi Dadri was transferred in GMSPS, Sector-14 (12192) District Gurugram vide order No. 13/102-2023 PRT(ART)(2) dated 06.03.2024. The transfer order of Smt. Lalita is hereby cancelled with immediate effect.

Smt. Lalita, JBT[1003888], GMSPS, Railway Gate, Charkhi Dadri is hereby deputed for 180 days in DIET Birhi Kalan, Charkhi Dadri till any school have vacant post then she may be adjusted against vacant post.

**Dr. G Anupama, IAS  
Additional Chief Secretary to Govt. Haryana,  
School Education Department,  
Panchkula.**

Endst No. Even

Dated Panchkula the 6.6.24

A copy is forwarded to the following for information and necessary action:-

1. District Elementary Education Officer, Charkhi Dadri.
2. District Elementary Education Officer, Gurugram.
3. Head of the institution concerned, GMSPS, Railway Gate, Charkhi Dadri.
4. Principal, DIET Birhi Kalan, Charkhi Dadri with direction that to join Smt. Lalita, JBT teacher against vacant post after the Model code of conduct.
5. PS/Worthy ACSSE.
6. PA/DGEE
- ✓ 7. I.T. Cell (HQ) kindly comply with the above order as early as possible.
8. The Accountant General, Haryana.
9. Treasuries & Accounts Department, Haryana

*Ranvir Singh* 6/6/24  
**Superintendent PRT(ART)  
for Director Elementary Education,  
Haryana, Panchkula** *gm*

Directorate of Elementary Education Haryana, Shiksha Sadan, Sector 5,  
Panchkula

Order No. 17/66-2023 ESHM (1)

03.06.2024  
Dated Panchkula the,

Whereas Sh. Sultan Singh and others approached the Hon'ble Punjab & Haryana High Court by way of filing a Civil Writ Petition i.e. CWP No. 26344 of 2023- Sultan Singh and others Vs. State of Haryana and others praying therein for issuance of a writ petition in the nature of mandamus to grant the benefit of one increment as petitioner had already completed 12 months service before attaining the age of superannuation on 30.06.2013 and accordingly the retrial benefits be revised and released to the petitioner.

The said petition came up for hearing before the Hon'ble High Court on 23.11.2023 and was disposed off with the following directions:-

*"This petition has been filed seeking a writ of mandamus directing the respondent-Department to grant the benefit of one increment to the petitioner as he had already completed twelve months service before attaining the age of superannuation on 30.06.2013.*

*2. Learned counsel for the petitioner submits that grievance raised herein is pending for appropriate decision before the respondents. At this stage, the petitioner will be satisfied in case respondent no.2 is directed to decide the pending legal notice, dated 15.03.2023, Annexure P-1, in a specified period.*

*3. Notice of motion.*

*4. Mr. Sanjeev Kaushik, Addl. AG, Haryana, accepts notice and submits that the issue stands settled by the Supreme Court by judgment passed in The Director (Admin. And HR) KPTCL and others v. C.P. Mundingamani and others, 2023 SCC Online SC 401, and the pending legal notice will be decided in terms thereof by the second respondent-Director, Elementary Education, Haryana, within three months.*

*5. In view of the statement made by learned State counsel, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.*

*6. Ordered accordingly".*

In compliance of this order dated 23.11.2023, the Legal Notice dated 15.03.2023 of the Claimant i.e. Sh. Sultan Singh was examined and it has been found that the Claimant in the instant case is praying for benefit of Annual Increment even though he was not in service on 1st of July since he had retired on superannuation vide dated 30.06.2013. In this regard, it is stated here that the claim of Claimant is not maintainable as per Govt. of India instruction issued vide memo no 6/183-2018-4PR(FD) dated 25.11.2020. As per para no. 12 of instruction dated 25.11.2020 it is stated here that the claim of grant of annual increment to any Government employee/petitioner who were not in service on 1st July due to retirement/superannuation is not tenable the para no 12 of instruction dated 25.11.2020 is as under:-

*"Keeping in view of aforesaid information provided by the GOI and the fact that the rules on the issue of grant of annual increments as applicable in the case of the Central Govt. employee are still intact and have not been quashed by any orders of the Hon'ble Courts including orders passed by the Hon'ble Madras High Court in P.Ayyamperumal case, the GOI has not generalized the orders passed in P. Ayyamperumal case of the Hon'ble Madras High Court. Thus, the Finance Department observes that the claim of annual increment to the Government Employees/Petitioners who are not in service on 1st July due to retirement/superannuation, is no tenable."*

The State Government had revised the pay scales of its employees as per recommendations of the 6th CPC on the pattern of GOI as per HCS (Revised Pay) Rules, 2008 and HCS (ACP) Rules, 2008 vide notification dated 30.12.2008 wherein, the

concept of uniform date of annual increment i.e. 1st July of every year was made applicable w.e.f. 01.01.2006. Regarding annual increment, Rule 10 of Haryana Civil Services (Revised Pay) Rules, 2008 and Rule 20 of Haryana Civil Services (ACP) Rules, 2008 provides that:-

*"There will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised pay structure as on 1st of July will be eligible to be granted the increment. The 1st increment after fixation of pay on 01.01.2006 in the revised pay structure will be granted on 01.07.2006 for those employees also for whom the date of next increment was between 1st July 2006 to 1st January, 2007:*

*Further, Rule 20 of Haryana Civil Services (ACP) Rules, 2008 provides as under:-*

*There will be a uniform date of annual increment, viz. 1st July of every year. Employees completing 6 months and above in the revised ACP pay structure as on 1st of July will be eligible to be granted the increment. The first increment after fixation of pay on 01.01.2006 in the revised ACP pay structure will be granted on 01.07.2006 for those employees for whom the date of next increment was between 1st July 2006 to 1st January, 2007.*

For 2nd set of employees (as described in sub-para 5(b) above) neither rule 10 of HCS (Revised Pay) Rules, 2008 nor Rule 20 of HCS (ACP) Rules, 2008 provides the benefit of proportionate increment. It is made clear that vide FD's letter dated 07.01.2015, the benefit of proportionate increment was made admissible in relaxation of stipulation under Rule 10 of HCS (Revised Pay) Rules, 2008 and Rule 20 of HCS (ACP) Rules, 2008 with respect to those employees only who joined service as fresh entrant between 1st January and 1st July. Therefore, the benefit of proportionate increment to retiring Government Employees is not admissible.


In view of above and Rule 10 of Haryana Civil Services (Revised Pay) Rules, 2008 it is clarified that claim of the pro-rata Annual increment to Govt. Employees who were not in service on 1st July due to retirement/superannuation is not tenable. However, the Hon'ble Punjab and Haryana High Court has disposed of the CWP No. 12453 of 2017 titled as Satyapal & others Vs. State of Haryana & others vide its order dated 12.10.2023 on the same terms and conditions as the order dated 11.04.2023 passed in Civil appeal No. 2471 of 2023 @ SLP © No. 6185 of 2020 titled as "The Director KPTCL & others Vs. C.P. Mundinamani and others". In this regard, GOI has not generalized the decision of the Hon'ble Supreme Court passed in aforementioned case. It is stated here that a government employee retiring on the last working day of the month shall cease to be Government employee w.e.f. midnight of the day and after midnight i.e. 12:00 AM, he become a pensioner. Thought, he is paid pension and he shall not be deemed to be on duty as Government servant and therefore, annual increment cannot be sanctioned who such retired Government servant. That as on 01.07.2013, the day when the annual increment fell due, the claimant was not in service as he become a pensioner already. Thus, the Finance Department has observed that the claim of annual increment to the Government employees, who are not in service on 1st July due to retirement/superannuation, is not tenable. Aggrieved with the decision of the Hon'ble High Court order dated 12.10.2023 passed in CWP No. 12453 of 2017 Satyapal & others Vs. State of Haryana, the Department preferred a Letters Patent Appeal vide LPA No. 913 of 2024 titled as State of Haryana & others vs. Satya Pal.

Also vide U.O. No. 6/183/2018-4PR(FD)/938, 1534/2024/2 dated 24.01.2024 issued by O/o Additional Chief Secretary to Govt. Haryana, Finance

Department, the O/o Director Secondary Education Haryana, Panchkula has also issued order no. 10/2-2024 Admn(4) dated 07.02.2024 to deal with the matter regarding grant of annual increment. Hence, after going through relevant record of the case in the light of the Finance Department instructions dated 25.11.2020 the claim of the claimant regarding the grant of one increment w.e.f 01.07.2013 and retrial benefits is not sustainable as the claimant was retired from Government service w.e.f. 30.06.2013 and was not in service as on 01.07.2013. Hence, the claim for annual increment w.e.f. 01.07.2013 is not sustainable in the eyes of law.

In view of the above background and factual position of the case, at this stage the claim of the claimant demanded through Legal Notice dated 15.03.2023 (P-1) is not tenable and the same is not tenable in above terms.

Order accordingly.

  
(Kamal Preet Kaur),  
Additional Director Admn.  
O/o. Director General Elementary Education,  
Haryana Panchkula.

Itgd.

To,


1. Sh. Sultan Singh, age 67 years S/o Sh. Hazari Lal, Retd. as Head Master from GSSSS Israna Distt. Panipat, Residence of Khushi Ram Colony, Israna, Distt. Panipat, Mobile No. 8295191090.

Endst. No.: Even

Dated Panchkula the, 05.06.2024

A copy of this order is forwarded to following for information and necessary action:

1. District Elementary Education Officer, Panipat
2. Sh. Tejpal Singh Dhull, Advocate, Office-cum-residence # 204, G.H.7 Society Sector-24, Panchkula.
3. IT Cell. To upload the Order on website.

  
Dy. Superintendent ESIIM  
for Director General Elementary Education,  
Haryana, Panchkula

**OFFICE OF ADDITIONAL CHIEF SECRETARY HARYANA, SCHOOL EDUCATION  
DEPARTMENT, PANCHKULA**

Order No. 14/67-2024PRT(ART)

Dated Panchkula the 18.03.2024

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**Dr. G Anupama, IAS  
Additional Chief Secretary to Govt. Haryana,  
School Education Department,  
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Endst No. Even

Dated Panchkula the 6.6.24

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**Superintendent PRT(ART)  
for Director Elementary Education,  
Haryana, Panchkula** 