

Department of School Education Haryana

Appropriate Authority

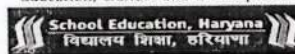
(as prescribed under Rule 34 (1) of Haryana School Education Rules-2003)

PERMISSION
TO ADD NEW PROPOSED CLASSES
FOR HIGHER STAGE SCHOOL
UNDER RULE - 29 OF
HARYANA SCHOOL EDUCATION RULES, 2003

**ADMISSIONS & FUNCTIONING OF
SCHOOL NOT ALLOWED
WITHOUT RECOGNITION**



शिक्षा, संस्कृति एवं विकास
Education, Culture and Development



समृद्धि मा ज्योतिर्मयम्
Lead me from Darkness to Light

Memo No. 5/16-2019 PS(2)

Dated :- 24.12.2019

In exercise of powers conferred under Rule 29 (3) read with Rule 3 of Haryana School Education Rules-2003 Education Department, Haryana hereby permit to add new proposed classes for higher stage. However, it is made clear that such permission will not enable such school to get recognition automatically for which the applicant shall have to fulfill the required conditions.

This letter of permission is based on the undertaking given by the applicant as per details given overleaf. Any violation of the undertaking automatically nullifies the permission. This permission is further subject to 'No Objection' from the 'Competent Authority' regulating the land use of the proposed site.

The permission to add new proposed classes for higher stage is only 'In-principle' approval of the Education Department to allow applicant to initiate steps and provide infrastructure to the new proposed classes of higher stage.

Students should not be admitted only on this permission without getting recognition. The recognition will be granted R.T.E. Rules-12 Appendix-II by the Department on fulfillment of prescribed norms as provided in Haryana School Education Rules-2003, in the interest of safety, health and welfare of students and other requirements.

* The managing committee shall abide by the provisions of Haryana School Education Rules 2003 (amended) & R.T.E. Rules 2011 and amendments if any thereafter. The Managing shall be liable for disciplinary action in case of violation of any provisions of the rules.

PARTICULARS OF THE SCHOOL

FOR WHICH THIS PERMISSION TO ADD

NEW PROPOSED CLASSES FOR HIGHER STAGE SCHOOL IS GRANTED

Regn. No.	SS/PKL/BOSE/ENG	Aug 2020
Name of the Individual, Association of Individual, Trust or Company establishing the School	Punj Education Society, GH-14/168, Paschim Vihar, New Delhi	
Name of the School	St. Vivekanand Millennium School, HMT, Township, Pinjore, Panchkula	
Address of the School	Village/Town HMT, Township, Pinjore, Panchkula Panchayat sector	
District Name	Panchkula	
Stage	11th to 12th	
Medium	English	
Syllabus/Affiliation	BOSE	
Details of Land (Khasra/Kila)	Total land measuring 27114 Sq Mtr.	

This Permission is valid up to next two academic sessions



District Education Officer, Panchkula

I.T. Cell
Office Copy

Deputy Superintendent, PS
For Director Secondary Education
Haryana, Panchkula

THIS PERMISSION IS ONLY IN PRINCIPLE APPROVAL OF THE INTENTION OF THE APPLICANT TO ADD NEW PROPOSED CLASSES FOR HIGHER STAGE SCHOOL. IT IS NOT APPROVAL TO START CLASSES OR FUNCTIONING OF SCHOOL FOR WHICH RECOGNITION IS REQUIRED WHICH IS GRANTED ON FULFILMENT OF NORMS AS PRESCRIBED UNDER HARYANA SCHOOL EDUCATION RULES-2003

DEPARTMENT OF SCHOOL EDUCATION
HARYANA

Shiksha Sadan, Sector-5, Panchkula (Haryana)
Telefax: +91-172-2560253

Appropriate Authority as prescribed under Rule-34(1) of Haryana School Education Rules - 2003

In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 24 of the Haryana School Education Act, 1995 (Act 12 of 1999), and all other powers enabling in this behalf, the Government of Haryana vide No. GSR 7/II.A. 12/99. S.24(1)/2003 notified the Haryana School Education Rules-2003 to regulate education in all non-Government schools, to promote better organization and development of school education, the manner of admission to recognized schools, fee structure, uniform code of service conditions for employees, adequate infrastructural facilities to be provided to pupils and to follow approved course of studies, in the State of Haryana.

* Please see the back of this document

S.No	Description	Details																									
a	The area in which the new school is proposed to be established	79222 Sq.Ft.																									
b	The approximate number of students likely to be enrolled in that school	185																									
c	The stage of education intended to be imparted in the new school	Sr. Sec.																									
d	The particulars including measurements of the building or other structures in which the school is proposed to be run																										
e	The Financial resources from which the expenses for the establishment and running of the school shall to be met.																										
f	The proposed procedure until its recognition under these rules, for the selection of the head of the school and other teachers and non-teaching staff and the minimum qualification for the recruitment.	The selection procedure will be adopted to appoint teaching and nonteaching staff as per the provisions under Rule 163 of Haryana School Education Rules,2003 by constituting a selection committee.																									
g	The proposed salary of the staff to be notified	Selection Procedure would be as provided in Rule 163 of Haryana Education Rules 2003 and other relevant provisions. The minimum qualification would also be as given in Appendix A attached with Haryana School Education Rule-2003																									
h	Admission, tuition and other fees and funds which would be levied and collected until its recognition under these rules, from the students of the proposed new school	<table><tr><td>CLASS</td><td>I-V</td><td>VI-VIII</td><td>IX-X</td><td>XI-XII</td></tr><tr><td>Admission Fee</td><td></td><td></td><td></td><td></td></tr><tr><td>Tuition Fee</td><td></td><td></td><td></td><td></td></tr><tr><td>Other Fee</td><td></td><td></td><td></td><td></td></tr><tr><td>Total Funds</td><td></td><td></td><td></td><td></td></tr></table>	CLASS	I-V	VI-VIII	IX-X	XI-XII	Admission Fee					Tuition Fee					Other Fee					Total Funds				
CLASS	I-V	VI-VIII	IX-X	XI-XII																							
Admission Fee																											
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Other Fee																											
Total Funds																											
i	Any other facility which is proposed to be provided for students of the proposed new school																										
j	The composition of managing committee of the proposed new school until the new school is recognized and a new managing committee is constituted in accordance with the scheme of managing committee made under these rules.	<table><tr><th>Name (Sh./ Smt.)</th><th>Designation</th></tr><tr><td>R.N. Sharma</td><td>President</td></tr><tr><td>S.K. Kumar</td><td>Vice President</td></tr><tr><td>A.R. Sharma</td><td>Member</td></tr><tr><td>K.M. Pathak</td><td>Member</td></tr><tr><td>Usha Ball</td><td>Member</td></tr><tr><td>Col. N.R. Baberwal</td><td>Member</td></tr><tr><td>Ravikant Sharma</td><td>Member</td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table>	Name (Sh./ Smt.)	Designation	R.N. Sharma	President	S.K. Kumar	Vice President	A.R. Sharma	Member	K.M. Pathak	Member	Usha Ball	Member	Col. N.R. Baberwal	Member	Ravikant Sharma	Member									
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R.N. Sharma	President																										
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Col. N.R. Baberwal	Member																										
Ravikant Sharma	Member																										

Note:- The Permission is granted that on the subject to the condition that the documents/ Information furnished by the School authorities are factual and not devoid of truth in any way. However, if any information, at any stage, is found contrary to the facts the permission would be revoked forthwith.

**OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA,
PANCHKULA**

Order No 20/38-2020 PGT-IV (3)

Dated, Panchkula, 07.08.2020

Smt. Harpreet Kaur, PGT Maths, Govt. Girls High School, Habri (Kaithal) is hereby granted the Child Care Leave from 07.08.2020 to 06.10.2020 **(two months)**, subject to fulfillment of the provision of Rule, 46 of Haryana Civil Services (Leave) Rules, 2016.

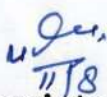
**J. Ganesan
Director Secondary Education
Haryana, Panchkula**

Endst. No. Even

Dated, Panchkula, the 11.08.2020

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

1. District Education Officer, Kaithal vide their letter No. E/1/2018/4852 dated 22.07.2020. Keeping in view smooth and efficient functioning of school.
2. Headmaster, Govt. Girls High School, Habri (Kaithal).
3. Smt. Harpreet Kaur, PGT Maths, Govt. Girls High School, Habri (Kaithal).
4. I.T. Cell for uploading the orders on website of Directorate.


**Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula**

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

No. 18/100-2020 PGT-IV (5)

Dated, Chandigarh, 29.06.2020

In accordance with the instructions contained in Haryana Government Finance Department Notification No. 1/83/2008/1 PR (FD), dated 31.12.2008 and letter dated 04-03-2014 and Notification No. 1/20/2016(ACP)-5 PR (FD) dated 28.10.2016, **Sh. Vijay Kumar, PGT Political Science, GGSSS Fatehpur Pundri, District Kaithal** is hereby granted **2nd ACP** in the pay band of Rs. 9300-34800+GP 5400 (ACPL-12) w.e.f. 01.10.2019 after completion of 16 years regular satisfactory service. It is being granted only in lieu of promotion/non availability of promotion avenues for the time being and is liable to be withdrawn without any notice in the event of forgoing/declining of hierarchical promotion.

**Satinder Siwath
Deputy Secretary to Government Haryana
School Education Department
Haryana, Panchkula**

OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA, PANCHKULA

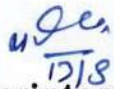
Endst. No. 18/100-2020 PGT-IV (5)

Dated, Panchkula the

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

1. The Principal, Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Kaithal w.r.t. their Memo No. E-1/2019/4106, dated 12.12.2019 alongwith Service book & personal file of Sh. Vijay Kumar, PGT Political Science, GGSSS Fatehpur, District Kaithal.
3. Treasury Officer concerned.
4. Principal, GGSSS Fatehpur, District Kaithal.
5. Sh. Vijay Kumar, PGT Political Science, GGSSS Fatehpur, District Kaithal.
- ✓ 6. I.T. Cell (Local).

DA/As above.


**Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula**

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

No. 18/362-2020 PGT-IV (3)

Dated, Chandigarh, 22.07.2020

In accordance with the instructions contained in Haryana Government Finance Department Notification No. 1/83/2008/1 PR (FD), dated 31.12.2008 and letter dated 04-03-2014 and Notification No. 1/20/2016(ACP)-5 PR (FD) dated 28.10.2016, **Sh. Dharambir, PGT Chemistry, GSSS Bishanpura, District Jind** is hereby granted **1st ACP** in the pay band of Rs. 9300-34800+GP 5400 (ACPL-12) w.e.f. 01.12.2016 after completion of 8 years regular satisfactory service, subject to refixation of pay in accordance with FD notification, dated 07.12.2009 & recovery, if any, as per Rule of Law & direction of FD. It is being granted only in lieu of promotion/non availability of promotion avenues for the time being and is liable to be withdrawn without any notice in the event of forgoing/declining of hierarchical promotion.

**Satinder Siwatch
Deputy Secretary to Government Haryana
School Education Department
Haryana, Panchkula**

OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA, PANCHKULA


Endst. No. 18/362-2020 PGT-IV (3)

Dated, Panchkula the

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

1. The Principal, Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Jind w.r.t. their Memo No. E-2/2020/419, dated 02.03.2020 alongwith Service book of Sh. Dharambir, PGT Chemistry, GSSS Bishanpura, District Jind.
3. Treasury Officer concerned.
4. Principal, GSSS Bishanpura, District Jind.
5. Sh. Dharambir, PGT Chemistry, GSSS Bishanpura, District Jind.
- ✓ 6. I.T. Cell (Local).

DA/As above.


**Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula**

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

No. 18/597-2019 PGT-IV (3)

Dated, Chandigarh, 06.08.2020

In accordance with the instructions contained in Haryana Government Finance Department Notification No. 1/83/2008/1 PR (FD), dated 31.12.2008 and letter dated 04-03-2014 and Notification No. 1/20/2016(ACP)-5 PR (FD) dated 28.10.2016, **Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula)** is hereby granted **2nd ACP** in the pay band of Rs. 9300-34800+5400 ACPL-12 w.e.f. 01.10.2019 after completion of 16 years regular satisfactory service. It is being granted only in lieu of promotion/non availability of promotion avenues for the time being and is liable to be withdrawn without any notice in the event of forgoing/declining of hierarchical promotion..

Satinder Siwatch
Deputy Secretary to Government Haryana
School Education Department
Haryana, Panchkula

**OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA,
PANCHKULA**

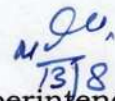
Endst. No. even

Dated, Panchkula the 13.8.20'

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

1. The Principal, Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Panchkula w.r.t. their Memo No. E-1/2019/10084-85 dated 02.12.2019 alongwith service book and personal file of Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula).
3. Treasury Officer concerned.
4. Principal, GSSS Ghaggar Bir (Panchkula).
5. Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula).
- ✓ 6. I.T. Cell (Local).

DA/As above.


Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

Order No. 03/14-2019 PGT-IV (1)

Dated Chandigarh, 30.07.2020

The resignation tendered by Smt. Renu, PGT Math, Govt. Sr. Sec. School, Adbar (Mewat) is hereby accepted w.e.f. 11.03.2019.

**Dr. Mahavir Singh
Additional Chief Secretary to Govt. Haryana
School Education Department
Chandigarh**

**OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA,
PANCHKULA**

Endst. No. Even

Dated, Panchkula, the 11.08.2020

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

1. The Principal Accountant General (A&E) Haryana, Chandigarh.
2. The Secretary, Haryana Staff Selection Commission, Panchkula.
3. District Education Officer, Nuh w.r.t. memo No. E-3/2019/873 dated 20.09.2019.
4. Principal, Govt. Sr. Sec. School, Adbar (Mewat).
5. Smt. Renu, PGT Math, Govt. Sr. Sec. School, Adbar (Mewat).
6. I.T. Cell to upload the orders on website and update the data of employee on Departmental record.

**Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula**

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

No. 18/597-2019 PGT-IV (3)

Dated, Chandigarh, 06.08.2020

In accordance with the instructions contained in Haryana Government Finance Department Notification No. 1/83/2008/1 PR (FD), dated 31.12.2008 and letter dated 04-03-2014 and Notification No. 1/20/2016(ACP)-5 PR (FD) dated 28.10.2016, **Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula)** is hereby granted **2nd ACP** in the pay band of Rs. 9300-34800+5400 ACPL-12 w.e.f. 01.10.2019 after completion of 16 years regular satisfactory service. It is being granted only in lieu of promotion/non availability of promotion avenues for the time being and is liable to be withdrawn without any notice in the event of forgoing/declining of hierarchical promotion..

Satinder Siwatch
Deputy Secretary to Government Haryana
School Education Department
Haryana, Panchkula

**OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA,
PANCHKULA**

Endst. No. even

Dated, Panchkula the 13-8-20

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

- ✓ 1. The Principal, Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Panchkula w.r.t. their Memo No. E-1/2019/10084-85 dated 02.12.2019 alongwith service book and personal file of Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula).
3. Treasury Officer concerned.
4. Principal, GSSS Ghaggar Bir (Panchkula).
5. Smt. Krishna Kumari, PGT History, GSSS Ghaggar Bir (Panchkula).
- ✓ 6. I.T. Cell (Local).

DA/As above.

as per
13/8
Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT
CHANDIGARH**

No. 18/443-2020 PGT-IV (1)

Dated, Chandigarh, 13.08.2020

In accordance with the instructions contained in Haryana Government Finance Department Notification No. 1/83/2008/1 PR (FD), dated 31.12.2008 and letter dated 04-03-2014 and Notification No. 1/20/2016(ACP)-5 PR (FD) dated 28.10.2016, **Sh. Ashok Kumar, PGT-Political Science, GSSS, Bhirdana, (Fatehabad)** is hereby granted **2nd ACP** in the pay band of 9300-34800+5400 ACPL-12 w.e.f. 01.10.2019 after completion of 16 years regular satisfactory service. It is being granted only in lieu of promotion/non availability of promotion avenues for the time being and is liable to be withdrawn without any notice in the event of forgoing/declining of hierarchical promotion.

Satinder Siwatch
Deputy Secretary to Government Haryana
School Education Department
Haryana, Panchkula

**OFFICE OF DIRECTOR SECONDARY EDUCATION, HARYANA,
PANCHKULA**

Endst. No. even

Dated, Panchkula the 13.8.20

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

1. The Principal, Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Fatehabad w.r.t. their Memo No. E-1/2020/6283 dated 04.02.2020 alongwith service book of Sh. Ashok Kumar, PGT-Political Science, GSSS, Bhirdana, (Fatehabad).
3. Treasury Officer concerned.
4. Principal, Sh. Ashok Kumar, PGT-Political Science, GSSS, Bhirdana, (Fatehabad) .
5. Sh. Ashok Kumar, PGT-Political Science, GSSS, Bhirdana, (Fatehabad).
6. I.T. Cell (Local).

DA/As above.

u.gu.
13/8
Dy. Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula



GOVERNMENT OF HARYANA / हरियाणा सरकार
Directorate School Education
विद्यालय शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
 Education, Culture and Development
 School Education, Haryana
 विद्यालय शिक्षा, हरियाणा
 तमसो मा ज्योतिर्गमय
 Lead me from Darkness to Light

Off.: Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)-2560246 Fax: 91(0172)-2560253

कार्यालय: शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253

e-mail: edusecondaryhry@gmail.com - site: www.schooleducationharyana.gov.in

Order No. 12/63-2020 PGT-II (6)

Dated, Panchkula the 30.07.2020

Permission is hereby granted to **Sh. Ramphal, PGT Hindi (Retd.), Govt. Girls Sr. Sec. School, Birohar (Jhajjar)** to change the option from fixed medical allowance to open reimbursement of medical expenses for the outdoor treatment of chronic disease w.e.f. **03.03.2020** in terms of Haryana Government instructions issued time to time on the following conditions:-

1. That she will not be entitled to the fixed medical allowances w.e.f. **03.03.2020**. After the date of change of option the allowances, if received, will have to be deposited in Government treasury.
2. The medical certificate will be reviewed after a period of two years.
3. The reimbursement will be made only for Eighteen chronic diseases which have been declared by the Haryana Government.

J. GANESAN, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

ENDST. NO. EVEN

DATED PANCHKULA, THE 17.08.2020

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

1. District Education Officer, **Jhajjar** w.r.t. his/her Memo No. E-2-20/1279 dated 29.06.2020.
2. Concerned Treasury Officer.
3. Principal, Govt. Girls Sr. Sec. School, Birohar (Jhajjar).
4. Sh. Ramphal, PGT Hindi (Retd.), Govt. Girls Sr. Sec. School, Birohar (Jhajjar).
5. IT Cell (Local).

Dy. Superintendent PGT-II
for Director Secondary Education,
Haryana, Panchkula



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Office: Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)-2560246 Fax: 91(0172)-2560253
 कार्यालय: शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253





GOVERNMENT OF HARYANA/हरियाणा सरकार

Directorate of Secondary Education

माध्यमिक शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and DevelopmentSchool Education, Haryana
विद्यालय शिक्षा, हरियाणातमसो मा ज्योतिर्गमय
Lead me from Darkness to Light

Off.: Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)-2560246 Fax: 91(0172)-2560253

कार्यालय: शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253

e-mail: edusecondaryhry@gmail.com - site: www.schooleducationharyana.gov.in

ORDER**No. 23/110-2019 HRME-II (2)****Dated, Panchkula, the 30.07.2020**

As per provision contained in Haryana Govt. Finance Department instructions No. 1/20/16 (ACP)-5PR(FD) dated 28.10.2016 of Haryana Civil Services (ACP) Rules 2016 **Sh. Narender Kumar, GSSS, Namunda Samalkha, Panipat** is hereby granted **3rd ACP in ACPL-07 Scheduled-I Part-II HCS ACPL Pay Matrix Rules, 2016 w.e.f. 01.10.2019** after completion of 24 years of regular satisfactory service.

SATINDER SIWATCH
JOINT DIRECTOR ADMN-I
O/o DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

Endst. No. Even**Dated Panchkula, the 17-08-2020**

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

1. Accountant General (A&E) Haryana, Chandigarh.
2. Treasury officer concerned.
3. The District Education Officer, Panipat w.r.t. their letter No. E-2/2019/4934 dated 12.12.2019. The service book and personal file of the official are returned herewith.
4. Principal, GSSS, Namunda Samalkha, Panipat.
5. Sh. Narender Kumar, GSSS, Namunda Samalkha, Panipat.
6. IT Cell.

Satinder Siwatch
Dy. SUPERINTENDENT HRME-II
for DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

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Office: Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)-2560246 Fax: 91(0172)-2560253

कार्यालय: शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253





GOVERNMENT OF HARYANA / हरियाणा सरकार

Directorate Secondary Education

माध्यमिक शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and DevelopmentEDUCATION DEPARTMENT
शिक्षा विभाग, हरियाणातमसो मा ज्योतिर्गमय
From Darkness lead me to Light

Off.: Plot No. 1B, Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)2560246 Fax: 91(0172)2560253

कार्यालय: प्लॉट नं० 1बी, शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91(0172)2560246 फैक्स: 91(0172)2560253

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ORDER**No. KW 2/9-2017 HRME-II (5)****Dated, Panchkula the 06.08.2020**

The awaiting period of Sh. Pawan Kumar, Clerk, GHS Tiwala, Charkhi Dadri from 22.09.2017 to 04.10.2017 is hereby treated as duty period for all intents and purposes as provided in Rule-10 of Haryana Civil Services (General) Rules-2016.

SATINDER SIWATCH
JOINT DIRECTOR ADMINISTRATION-I
O/o DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA

Endst .No. KW 2/9-2017 HRME-II (5)**Dated, Panchkula, the:-13-08-2020**

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

1. The Accountant General (A&E) Haryana, Chandigarh.
2. District Education Officer, Charkhi Dadri w.r.t. their letter No. E-III-2019/908 dated 25.02.2020.
3. Sh. Pawan Kumar, Clerk, GHS Tiwala, Charkhi Dadri.
4. I.T. Cell.

Subanta 13-8-20
DEPUTY SUPERINTENDENT HRME-II
FOR DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA



GOVERNMENT OF HARYANA / हरियाणा सरकार

Directorate School Education

विद्यालय शिक्षा निदेशालय

www.schooleducationharyana.gov.in | edusecondaryhry@gmail.com

Directorate of School Education / विद्यालय शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and Development
School Education, Haryana
विद्यालय शिक्षा, हरियाणा
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ORDER

NO. 4/ 18-2020 HRME-II (5)

Dated, Panchkula, the:-04.08.2020

The following Group-D, Class-IV employee is hereby transferred with immediate effect:-

Sr. No.	Name, Designation	Present Place of Posting	Transfer/Adjusted	Remarks
1.	Smt. Raj Bala, Sweeper-Cum- Chowkidar Employee ID [214054]	GGMS, Basaimeo, Nuh Mewat [6556]	GGMS Salamba [810], Nuh Mewat	Against Vacancy by giving Relaxation in Transfer Policy.

Note :-

- The official will be relieved immediately and if he/she fails to do so, he/she will be liable for disciplinary action, However if any official is working in Census duty, he/she shall not be relieved till the Census duty is accomplished.
- No TA/DA and joining time will be admissible to the official if he/she has been shifted on his/her request after exercising option.
- If there is no vacancy in the destination school for any reason the incumbent transferred shall re-join his/her previous place of posting and also inform to concerned branch/computer cell at HQ.
If any discrepancy is noticed in this order or there is a violation of transfer policy, It should be brought to the notice of Computer Cell/Concerned branch within three days and the order be not implemented.
- Consent/affidavit of the official be taken that he is willing to loose his/her seniority in case of requested transfer orders.
- The condition that official has not been joined previous transfer place of posting is not implemented on Cancellation Order.
- The official will be update their profile in MIS Portal when he/she join/relieve from his present working station and also supply the information to the Directorate.
- Concerned DDO is also requested to update and approved MIS data of the official at your own level.

SATINDER SIWATCH
JOINT DIRECTOR ADMN-I
O/o DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

Endst. No. 4/ 18-2020 HRME-II (5)

Dated Panchkula, the:- 13-08-2020

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

- District Education Officer Nuh Mewat.
- Smt. Raj Bala [214054], Sweeper-Cum-Chowkidar, GGMS, Basaimeo, Nuh Mewat [6556].
- IT Cell.
- Data Entry Operator (HRME Branch) is requested to update the data of the concerned Official on the website/MIS Portal please.
- Master File E-File.

Subent
SUPERINTENDENT HRME-II
for DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

**GOVERNMENT OF HARYANA
SCHOOL EDUCATION DEPARTMENT**

ORDER

NO. 15/67-2018 PGT-I (3)

DATED, CHANDIGARH, THE 05.03.2019

In continuation of promotion orders issued vide this office order No. 15/18-2016 PGT-II (3) dated 06.05.2016 and 17.06.2016, the following Master/Mistress/TGT/C&V is hereby immediate promoted on officiating basis as Lecturer/PGT (Hindi) in the pay scale of Band-II Rs. 9300-34800 plus 4800 Grade Pay plus usual allowances allowed by the Haryana Government from time to time on the basis of terms and conditions mentioned below. Further, she is posted against vacancy in the School mentioned against their name temporary with the conditions that she will must be participated in the next phase of transfer drive for the permanent posting.

Name, designation and present place of posting as TGT	Date of Birth, Gender & Category	Promoted as PGT	Allotted place of posting
[061545] Smt. Krishna Bai, Hindi Teacher, GSSS Satnali (Narnaul) [3896]	01/07/1978 Female General	PGT Hindi	Rai Bahadur M.M.M. GSSS [3882] Mahendergarh

Terms & Conditions:

1. If any, disciplinary proceeding under Rule 7 or 8 of Haryana Civil Services (Punishment & Appeal) Rules, 1987 is found pending subsequently, the said incumbents(s) shall be reverted without issuing any notice.
2. The promotion has been given on the basis of availability of 70 percent or more records falling in the category of good or better than that and in the eventuality of finding integrity doubtful during the said period as well as remaining records, the incumbent(s) shall be reverted without issuing any notice.
3. If subsequently, it is found that any candidate has done Post Graduation or other qualifications in distance mode from deemed Universities from study centers located outside the campuses of the University, without seeking approval of UGC and the State Government, the same shall be reverted in view of division bench judgment of Punjab and Haryana High Court in CWP No. 1640 of 2008 decided on 06.11.2012 titled as Kartar Singh Versus Union of India and others cited in 2013(1) RSJ 224.
4. If the currency of penalty of stoppage of grade increments with or without cumulative effect is still in operation, the candidate(s) shall be reverted in view of Govt. instructions dated 31.5.2006.
5. If any discrepancy regarding not fulfilling the essential qualifications eligibility as prescribed in the Haryana State Education School Cadre (Group B) Service Rules, 2012', the said incumbent(s) shall be reverted without issuing any notice.

6. This promotion order is based on provisional seniority list and without prejudice to the right of the seniors to be considered if they opt for promotion as **PGT (Hindi)** provided those seniors are found eligible for the post.
7. In case the degree of a teacher is found not to be from a recognized University having no statutory authority/ jurisdiction in regard to award of such degree, the promotion shall be cancelled forthwith and the teachers so promoted shall be liable for strict disciplinary action.
8. The teachers in the provisional seniority list who are senior to the teachers whose documents have been found in order and eligible are being promoted and, posts have been reserved for them pending determination of their eligibility at a later date.
9. Inter se seniority based on the feeder cadre shall be the determining factor in the PGT cadre. In other words if a senior employee in the C&V cadre is found eligible at a later date and vacancy in respect of her is occupied by a junior employee then the Junior employee shall have to be reverted back so that such senior employee may get her due promotion.
10. She will remain on probation for a period of one year which can be extended in terms of Service Rules, in case her work and conduct is not found satisfactory.
11. The promotion is subject to final outcome of decision(s) of CWP No. 9675 of 2016 titled as Sumer Singh V/s State of Haryana.

P.K DAS, IAS
Additional Chief Secretary to Govt. Haryana
School Education Department,
Chandigarh


OFFICE OF DIRECTOR GENERAL SECONDARY EDUCATION, HARYANA,
PANCHKULA

ENDST NO. Even

DATED, PANCHKULA, THE 17-8-2020

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

1. District Education Officer, Narnaul.
2. District Elementary Education Officer, Narnaul.
3. Principal/Headmaster, GSSS Satnali (Narnaul) [3896]
4. Principal/Headmaster Rai Bahadur M.M.M. GSSS [3882] Mahendergarh.
5. Official concerned.
6. PGT-II for update the order in MIS Portal & making necessary entries in the gradation list
- ✓ 7. IT Cell (HQ) for updating the orders on official website.


Dy. Superintendent PGT-I
for Director Secondary Education,
Haryana, Panchkula



GOVERNMENT OF HARYANA / हरियाणा सरकार
Directorate School Education
 विद्यालय शिक्षा निदेशालय

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Directorate of School Education / विद्यालय शिक्षा निदेशालय

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 Lead me from Darkness to Light

ORDER

NO. 4/31-2020 HRME-II (5)

Dated, Panchkula, the:-18.08.2020

The following Group-D Class-IV employee is hereby transferred with immediate effect:-

Sr. No.	Name, Designation	Present Place of Posting	Transfer/Adjusted	Remarks
1.	Sh. Jai Nariyan, Class-IV, Employee ID (056507)	GHS Karela Jamola (1667) Jind	GSSS, Malvi, (1673) Jind	Against Vacancy

Note :-

- The official will be relieved immediately and if he/she fails to do so, he/she will be liable for disciplinary action, However if any official is working in Census duty, he/she shall not be relieved till the Census duty is accomplished.
- No TA/DA and joining time will be admissible to the official if he/she has been shifted on his/her request after exercising option.
- If there is no vacancy in the destination school for any reason the incumbent transferred shall re-join his/her previous place of posting and also inform to concerned branch/computer cell at HQ.
If any discrepancy is noticed in this order or there is a violation of transfer policy, It should be brought to the notice of Computer Cell/Concerned branch within three days and the order be not implemented.
- Consent/affidavit of the official be taken that he is willing to loose his/her seniority in case of requested transfer orders.
- The condition that official has not been joined previous transfer place of posting is not implemented on Cancellation Order.
- The official will be update their profile in MIS Portal when he/she join/relieve from his present working station and also supply the information to the Directorate.
- Concerned DDO is also requested to update and approved MIS data of the official at your own level.

SATINDER SIWATCH
JOINT DIRECTOR ADMN-I
O/o DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

Endst. No. 4/31-2020 HRME-II (5)

Dated Panchkula, the:-18-08-2020

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

- District Education Officer concerned.
- Head of the institution concerned.
- Official concerned.
- ✓ IT Cell.
- Data Entry Operator (HRME Branch) is requested to update the data of the concerned official on the website/MIS Portal please.

for
SUPERINTENDENT HRME-II
for DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

HARYANA GOVERNMENT

OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA,
PANCHKULA

ORDER

Order No. 13/125-2018 PGT-II (6)

Dated, Panchkula, the. 18/08/2018

{Pursuant to the directions of the Hon'ble Punjab & Haryana High Court vide order dated 10.05.2018 passed in CWP No. 11783 of 2018 titled as Sher Singh and others v. State of Haryana and others}

That the petitioners have approached the Hon'ble Punjab & Haryana High Court by way of filing CWP No. 11783 of 2018 with the prayer for restoring the benefits of Adhoc relief to the petitioners relying upon the judgment dated 11.08.2003 of the Hon'ble High Court passed in CWP No. 4518 of 2000, judgment dated 27.07.2000 passed in CWP No. 16084 of 1997 and judgment dated 08.12.2015 of Hon'ble Supreme Court passed in Civil Appeal No. 8661 of 2009.

That the civil writ petition No. 11783 of 2018 was fixed for hearing before the Hon'ble court on 10.05.2018 and the Hon'ble High Court was pleased to pass the following orders:-

"Counsel for the petitioners states that in order to claim the relief, as prayed in the present writ petition, the petitioners have submitted a representation dated 01.08.2017 (Annexure P-1) with the respondents but the same has not been decided so far. Counsel for the petitioners further states that the petitioners will be satisfied, in case a time bound direction is given to the respondents to decide the representation dated 01.08.2017 (Annexure P-1).

Without going into the merits of the case and without commenting upon the entitlement of the petitioners, the present writ petition is disposed of with a direction to the respondents to decide the representation dated 01.08.2017 (Annexure P-1) of the petitioners by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of this order.

The petition stands disposed of accordingly."

In view of the above orders of the Hon'ble Court, the record related to the petitioners No. 3 and 27 namely Smt. Saroj Kalra and Smt.

Gayatri Devi respectively were examined.

Whereas, petitioners have claimed for re-fixation of their pay/ pension w.e.f. 01.04.1979 with all consequential benefits in view of the orders passed by the Hon'ble High Court in CWP No. 4518 of 2000 which were upheld by the Hon'ble Supreme Court, vide order dated 08.12.2015 in Civil Appeal No. 8661 of 2009.

Whereas, the Govt. of Haryana had decided to grant adhoc relief to its employees at varying rates vide Finance Department letter No. 3608-3FR-72/21099 dated 27/29-06-1972 w.e.f 01.4.1972 in the shape of "First component of Adhoc Relief" ranging between Rs. 15/- to 45/- and second component of Adhoc Relief ranging between Rs. 7/- to 15/- as per rates indicated in the table below:-

Pay Range	1 st component of adhoc	Second component of adhoc relief
Below Rs. 85/-	Rs. 15/- per month	Rs. 07/- per month
Rs. 85/- to Rs. 209/-	Rs. 25/- per month	Rs. 08/- per month
Rs. 210/- to 499/-	Rs. 30/- per month	Rs. 10/- per month
Rs. 500/- to 1250/-	Rs. 45/- per month	Rs. 15/- per month

It is pertinent to mention here that the third installment of Adhoc Relief was released w.e.f. 01.12.1972, vide Finance Department letter No. 7158-3FR-72/30420 dated 19.12.1972 ranging between Rs. 7/- to 10/- as per rates indicated in the table below:-

Pay Range	Amount of additional adhoc relief
Below Rs. 85/-	Rs. 07/- per month
Rs. 85/- to Rs. 209/-	Rs. 08/- per month
Rs. 210/- to 574/-	Rs. 10/- per month

Whereas, it is worthwhile to mention that the Govt. of Haryana was considering grant of Regular Additional Dearness Allowance to its employees. In this regard the State Govt. vide Finance Department letter No. 1699-3FR-74/10392 dated 20.03.1974 granted Additional Dearness Allowance to its employees, belonging to the Class-II, III and IV service w.e.f. 01.05.1973, 01.08.1973, 01.10.1973 and 01.01.1974 on every 8 points increase in the Consumer Price Index. The rates of Additional Dearness Allowances are indicated in the table below:-

Period for which payable	Range of emoluments	Rate of additional Dearness Allowance per month
(i) 1.5.1973 to 21.7.73	Upto Rs. 300/- (Emolument as defined in para 2 below)	4% of emoluments
	Above Rs. 300/- and upto	3% of emolument subject to

	Rs. 900 (Emolument as defined in para 2 below)	a minimum of Rs. 12/- p.m. and a maximum of Rs. 27/- p.m. (and subject to marginal adjustment so that the emolument plus additional dearness allowed does not exceed Rs. 927/-)
(ii) 1.8.1973 to 30.09.1973	Upto Rs. 300/-	8% of emolument
	Above Rs. 300/- and upto Rs. 1200/-	6% of emolument subject to a minimum of Rs. 24/- p.m. and maximum of Rs. 54/- p.m.
(iii) 1.10.1973 to 31.12.1973	Upto Rs. 300/-	12% of emolument 9% of emolument subject to a minimum of Rs. 36/- p.m. and maximum of Rs. 81/- p.m.
	Above Rs. 300/- and upto Rs. 1200/-	
(iv) 1.1.1974 onwards	Upto Rs. 300/-	16% of emoluments
	Above Rs. 900/- and upto Rs. 926/-	Marginal adjustment so that the emolument plus additional Dearness Allowance does not exceed Rs. 1008/-
	Rs. 972/- and above, upto Rs. 1200/-	Rs. 81/- p.m.

The adhoc reliefs were granted without adopting any formula with reference to cost of living. While calculating **Additional** Dearness Allowance, the adhoc relief given earlier on a slab system without reference to any formula was found to be higher than what was permissible on the basis of Consumer Price Index formula. On the basis of calculations, it was found that the Dearness Allowance granted by way of adhoc relief was in excess to the extent of Rs. 9.40 to Rs. 45/- in various categories of pay slab when compared with the admissible allowance as per Consumer Price Index. As a principle, it was not considered desirable to reduce the emoluments or to recover the excess amount drawn by the employees. Hence, it was decided that the **Additional** Dearness Allowance would only accrue after the adjustment of the **excess adhoc** relief already granted. Therefore, it was provided in Para-3 of the above-said letter-dated 20.03.1974 of Finance Department that a part of the amount of adhoc relief, as indicated in column 5 and 7 of Annexure-1 of said letter, was to be adjusted in the **Additional**

Dearness Allowance.

Subsequently, Haryana Government vide Notification No. GSR.20/Const./Art. 309/80 dated 29.02.1980 had revised the pay scale of its employees w.e.f. 01.04.1979 wherein it was provided that the above-said excess amount of Adhoc Relief was to be deducted while fixing pay of the Employees in the revised pay scale.

Whereas, the order dated 20.03.1974, was challenged by some employees by filing a Civil Writ Petition No. 966 of 1988, tilted as Haryana College Teachers Association, Panchkula and others versus State of Haryana and others wherein the Hon'ble High Court (as decided on 18.07.1988) had held that the deduction of respective amount per month (as per the condition No. 3 of the Govt. order dated 20.03.1974) from the emoluments of the petitioners i.e. Haryana College Teachers Association was illegal and had directed to refund the amount deducted in pursuant to the stipulation as mentioned in the Govt. order. It is very significant to mention here that the adjustment of adhoc relief deduction in the case of Haryana College Teachers Associations' case (CWP No. 966 of 1988) by the Govt. was wholly unjustified because of the fact that the petitioners of CWP No. 966 of 1988) were not the recipients/ beneficiaries for the grant of any adhoc relief under the Govt of Haryana's order dated 19th December, 1972. Accordingly as a natural corollary to that, in their case, the question of adjustment of excess payment/excess additional relief of the amount of adhoc relief did not arise at all and this Hon'ble High Court was justified on striking down the condition of deduction/adjustment as provided in the above mentioned Govt. order dated 20.03.1974, qua College Lecturers only.

Whereas, after the decision of Haryana College Teachers Association's case, another CWP No. 5563-A of 1989-titled Nitya Nand and others v. State of Haryana and others was filed in the Hon'ble High Court by challenging validity of the Govt. order dated 20.03.1974 pertaining stipulations 3 and 4 of the said order. The Hon'ble High Court relying upon its earlier decision in Haryana College Teachers Association Panchkula and other v. State of Haryana and another (CWP No. 966 of 1988) disposed of the CWP No. 5563-A of 1989 dated 23.04.1990 on the same terms. However, the facts remain that the petitioners in the Nitya Nand's case were actually the recipient/beneficiary of the benefit of adhoc relief as granted by the

Finance Department letter dated in 27/29.06.1972 & 19.12.1972, whereas the petitioners of the Haryana College Teachers Association's case were not actual beneficiaries. Facts were not identical in these two cases, in fact, the case of Haryana College Teachers Association's turned on its own special facts as mentioned above, therefore, an analogy could not be drawn with the facts of Nitya Nand's case. Thus, Nitya Nand's case was wrongly decided by wrongly applying the reasoning of College Lecturer's case.

Nitya Nand's case was subsequently duly considered by the Hon'ble Division Bench in CWP No.16470 of 1990 on 18.09.1991 & was distinguished. Operative part of the judgment is reproduced as under:-

"It is also relevant to mention that the case of College Lecturer Association had been decided by G. C. Mittal (as his Lordship then was). In spite of that decision and in spite of judgement in Nitya Nand's case having been placed before their Lordship, the Motion Bench considered it appropriate on February 5, 1991 to direct the petitioners to make a representation and the respondents to pass a speaking order. Therefore, a detailed order has come on record, which was not available to the bench in Nitya Nand case. In view of the detailed position as disclosed in this order, the necessity of referring the matter to a large Bench is obviated.

It is note-worthy that in Nitya Nand's case even the objection regarding delay had not been raised. In the present case, the learned Advocate General has vehemently contended that decision of State Government of 1974 have been challenged in the year 1990. On consideration of the matter, we find merit in the objection. The petitioners did not raise even a whisper against the order of March, 1974 during all these years. In fact, they draw all the benefits under the order which is now sought to be impugned. Not only that the pay scales have been revised in the year 1979 and 1986, but even otherwise, we have found no justification for the long silence on the part of the petitioners. On the ground of delay alone the petition

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deserves to be dismissed. The learned counsel for the petitioners contend that it is a recurring cause of action. We are not inclined to accept this contention. The pay of every employee had been fixed in accordance with the letter of March 20, 1974 and the Annexure thereto. Even a suit would be totally barred by limitation. In such a situation we are not inclined to invoke our extraordinary jurisdiction under Article 226 of the Constitution of India to entertain this belated claim made by the petitioners.

Accordingly, we find no merit in those petitions which are hereby dismissed. In the circumstances of the case, we leave the parties to bear their own costs."

Dated: 18.09.1991

Sd/- Jawahar Lal Gupta,

Judge

Sd/- I.S. Tiwana,

Acting Chief Justice

Alongwith the above stated writ petition about 268 writ petitions were decided and the above stated decision was challenged by the employees by filing SLPs in the Hon'ble Supreme Court. Hon'ble Supreme Court in SLP (C) 20144 of 1991 and SLP (C) 8878-81 of 1992 decided on 17.02.1993, reported as 1993(2) SLR 27 titled as State of Haryana & Others Vs. O.P. Sharma & Others had distinguished the decision in Nitya Nand's case and upheld the decision of the Government & also justified the decision in College Lecturer's case.

Whereas, subsequent to above decisions/judgements passed by the Hon'ble Supreme Court & High Court, various writ petitions had been filed on the above mentioned issue by other employees of the State Govt and most of these writ petitions were allowed on the basis of the decision in **Nitya Nand's** case, in ignorance of the decision dated 18.09.1991 in CWP No.16470/1990 as upheld by Hon'ble Supreme Court reported as 1993 (2) SLR 27. A CWP No. 13300 of 1990, titled as **Daya Ram Yadav** and others Vs State of Haryana and others was decided by the Hon'ble High Court in the following terms:-

"For the reasons in CWP No. 5563-A of 1989 (Nitya Nand V/s

State of Haryana) decided on 23.04.1990, the writ petition is allowed and is disposed of in the same terms and with the same order and conditions."

Whereas, CWP No. 16084 of 1997-titled as **Dharampal Singh** Vs State of Haryana and others and CWP No. 2757 of 1998-titled as **Diwan Chand** Vs State of Haryana and others, were filed on the same issue, and both these CWPs were disposed of by a common order dated 27.7.2000, by Hon'ble Division Bench of the Hon'ble High Court on the basis of the decision of CWP No. 13300 of 1990 in the same terms by ignoring the earlier decision dated 18.9.1991 in CWP No.16470 of 1990 vide which 268 writ petitions were dismissed on the ground of delay as well as on merits, which decision was upheld by Hon'ble Supreme Court in 1993(2) SLR 27.

Whereas, another group of Govt. employees had filed CWP No. 4518 of 2000-titled as **R.K. Gupta** and others Vs State of Haryana and others, on the same/ identical issue. The Hon'ble High Court relied upon the earlier Judgment passed in CWP No.16084 of 1997 and allowed the CWP No. 4518 of 2000, on the same terms. Aggrieved with the order passed in CWP No. 4518 of 2000, the State of Haryana filed a Civil Appeal No. 8661 of 2009. The Hon'ble Apex Court dismissed the Civil Appeal on the basis of earlier SLP (C) No. 2578 of 1996 decided on 09.05.1997 which was dismissed on ground of delay and Civil Appeal No. 923 of 1992 titled as **State of Haryana** and others Vs **Om Parkash** and other, however while passing the order in CA No.8661/2009 duly noticed the earlier decision reported as 1993 (2) SLR 27 by observing that Hon'ble Supreme Court already decided the controversy, a decision which is in favour of the Government.

Whereas, now the petitioners have based their claims on the basis of the decision of the Hon'ble High Court rendered in CWP No. 16084/1997, 2757/1998 and CWP No. 4518 of 2000.

Even the decision of Hon'ble Supreme Court now relied by the petitioner is against the petitioners as the Civil Appeal No.8661 of 2000 has been disposed of on the basis of decision 1993 (2) SLR 27 which is in favour of the department.

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Whereas, it is pertinent to mention that some other writ petitions were also filed in the Hon'ble High Court titled as **Om Parkash**

Kaushik and others v. State of Haryana and others, Mohar Singh and others Vs State of Haryana and others, Jasram Singh and other State of Haryana and others, in which the Hon'ble Division Bench of the Hon'ble High Court categorically differentiated ratio of the Haryana College Teachers Association's case (CWP No. 966 of 1988) and Nitya Nand's case (CWP No. 5563-A of 1989) and held that the case of Haryana College Teachers Associations' case could not have been treated as an authority or an analogy for deciding the case of other Government servants like Nitya Nand who had in fact received the benefits of adhoc interim relief under the Finance Department orders 27/29.06.1972 & 19.12.1972. This Hon'ble High Court, did not consider the Haryana College Teachers Association's case and Nitya Nand's case as binding precedents to be followed in the above mentioned batch of writ petitions, decided on 18.09.1991 where this Hon'ble High Court had dismissed the writ petitions, upholding the Govt. order of 20.3.1974. Relevant extract of the order dated 18.9.1991 is already reproduced in the preceding para.

Whereas, aggrieved with the order of the Hon'ble Court, the petitioners had filed the Special Leave Petitions No. 8878-81 of 1992, 3399 of 1993 and 3400 of 1993 against upholding the Govt. Order dated 20.03.1974 and the same were dismissed by the Hon'ble Supreme Court on 17.02.1993 while deciding the case State of Haryana and another Vs. O.P. SHARMA AND Ors. and connected Civil appeals No. 53-60 of 1992 reported as 1993 (2) SLR 27 & upheld the action of the Government in adjustment of the excess adhoc relief while fixing the pay in the revised pay fixation. The decision in Nitya Nand's case was based on the decision in the College Teacher's case without realizing that Nitya Nand and other Government servants had in fact been the beneficiaries of the interim relief granted in 1972 unlike the College Teachers. No other reason was given in Nitya Nand's case. When the other batch of cases came up before another Division Bench the college Teacher's case, it was realized that the factual position was not identical and therefore the petitioners were directed to made a comprehensive representation to the State Government for its consideration. The State Government was also directed to dispose of the said representation by a speaking order. When the order giving reasons for negating the contention of the employees was placed before the Division Bench it appreciated the stand of the State Government since the factual premise in the case of College Teachers was altogether different from the

factual premise in the case of other Government employees who had actually received the adhoc interim relief, the High Court, therefore, rightly came to the conclusion that the ratio of the College Teacher's case was not applicable to the case of those Government servants who were the recipients of adhoc interim relief. Since, the interim relief granted in 1972 was not based on any formula but was totally adhoc, when the formula for the grant of additional dearness allowance of the cycle of increase by points in the Consumer Price Index was adopted by the State Government, the State Government realized the adhoc interim relief was in excess by Rs. 9.40 to Rs. 45/- per month depending on the pay slab of a Government servant and, therefore, decided to adjust the increase of a Government servant and, therefore, decided to adjust the increase rather than order of lump sum recovery of the excess amount. Such an order passed by the State Government to recover the excess amount in a phased manner can never be termed as arbitrary, unreasonable, unfair or illegal. The High Court was therefore, right in refusing to follow the decision in Nitya Nand's case in the subsequent writ petitions which were filed by various groups of Government employees who had benefited from interim adhoc relief and also rejected the claim being suffered from delay & laches apart from merits. The SLP filed by the employees against the subsequent order of the High Court upholding the impugned order of 20th March, 1974 must fall and were rejected. The Hon'ble Apex Court in the case State of Haryana Vs O.P. Sharma and others, 1993 (2) SLR 27 had categorically upheld the validity of the Govt. order dated 20.03.1974 and the stipulations as mentioned in the said order was also held to be legal and proper and held that the order of the Govt. to recover the excess amount in a phased manner can never be termed as arbitrary, unreasonable, unfair or illegal.

Whereas, the adhoc relief as granted by the Govt. of Haryana and others in 1972, was adhoc, pure and simple and there was no legal or vested right to get a particular quantum of dearness allowances. This adhoc relief were granted in year 1972 without adopting formula with reference to the cost of living and by the Govt. order dated 20.03.1974 the Additional Dearness Allowance was granted on every 8 point increase in the Consumer Price Index Wherein this adhoc relief given earlier on a slab system without reference to any formula was found the Govt. on analysis to be higher than what was permissible on the basis of Consumer price Index Formula. It is to be further submitted that on the basis of analysis and

meticulous calculations, it was found that the dearness allowance granted by way of adhoc relief was in excess to the extent of Rs. 9.40 to Rs. 45 in various categories of pay slabs when compared with the admissible dearness allowance as per Consumer Price Index. As a principle, it was not considered desirable to reduce the emoluments or to recover the excess amount drawn by the employees. Therefore, it was decided that the additional dearness allowance would only accrue after the adjustment of the excess adhoc relief already granted. Whereas, the Govt. was well within its right to adjust the excess amount drawn by the Government employees. Towards future installments of additional dearness allowance and such adjustment under stipulation No. 3 of Govt. order 20.3.1974, could not be ruled as unfair and arbitrary or in violation of law and further cannot be turned as violation of natural justice of the Government employees. Hence, the present petitioner is not entitled to the claimed relief in view of the decision of Hon'ble Supreme Court reported as 1993 (2) SLR 27.

Apart from merits, the petitioners present claim for re-fixation of their pay/pension w.e.f. 01.04.1979 i.e. after such a long time which is highly time barred and beyond any logic or justification. No financial or civil right can be claimed after 3 years. More so when the Hon'ble Division Bench of this Hon'ble Court dismissed the claim in CWP No.16470 of 1990 - Ishwar Singh Sharma & Others Vs. State of Haryana & Others decided on 18.9.1991 on merits as well as on delay in the year 1991 itself, as per the operative part of the order re-produced in the preceding para.

Further, as per the decision rendered by the Hon'ble Supreme Court reported as (2008) 10 SCC 115; 2013(6) SLR 629; 2011 (4) SCC 374, decision of Hon'ble High Court in LPA No. 740 of 2015 (O&M) by taking the plea that as stated above petitioner is not entitled to any relief on merits as well as belated and stale claim cannot be accepted after a delay of more than 4 decades. Even though certain employees have been granted relief by the Hon'ble High Court in the year 2000 as upheld by the Hon'ble Supreme Court on 08.12.2015 and arrears of amount confined to only 38 months prior to filing of the writ petitions which were filed in the year 1997, 1998 and 2000 respectively and getting a direction from the Hon'ble High Court to decide the legal notice does not provide fresh cause of action of a time barred stale claim. The claim which the

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petitioners now claimed in the year 2018-19 by serving a legal notice, the actual cause of action arose in the year 1973-74. Adhoc interim relief granted already deducted/adjusted amount gives only a right to recovery and the limitation to recover the amount deducted/adjusted is three years, which lapses way back in the year 1976-77. The petitioners cannot be extended the benefit of decision of Hon'ble Supreme Court dated 08.12.2015 as stated in the preceding paras on account of parity with other employees of the judgment passed by the Hon'ble High Court in the year 2000 & 2003.

Here in the present cases also, the cause of action arose during the year 1973-74 and the petitioners have challenged the said action after more than 4 decade. Further, while deciding SLP (C) No. 20144 of 1991-State of Haryana & another Vs O.P. Sharma & another, the Hon'ble Supreme Court of India vide its order dated 17.02.1993 held that the action of the State Government in either recovery or adjustment of interim adhoc relief does not suffer any illegality, arbitrariness or discrimination. Hence, the benefit of restoration of a part of the amount of adhoc relief which was deducted while fixation of pay w.e.f. 01.04.1979 as claimed in the representation dated 01.08.2019 cannot be extended to the petitioner keeping in view the position narrated above. Thus, the claim of the petitioner is rejected on merits as well as a stale claim suffers from delay & laches.

I order accordingly in compliance of directions dated 10.05.2018 passed in CWP No. 11783 of 2018 titled as Sher Singh and others v. State of Haryana and others

Be communicated to all concerned.

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(J. GANESAN)
**DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA**

Endst. No.

Dated:

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

1. District Education Officer, Rewari is directed to get the order delivered to Smt. Gayatri Devi and Smt. Saroj Kalra under acknowledgement to this office.
2. Smt. Gayatri Devi, Hindi Lecturer (Retired), Government Girls Senior Secondary School, wife of Sh. Inderjit Kumar, resident of House No. 6187, Mohalla Chhipatwara, Rewari
3. Smt. Saroj Kalra, Hindi Lecturer (Retired), Government Senior Secondary School, Rewari, resident of House No. 981, Sector 3, Part-I, Rewari.
4. IT Cell for information/update.

Chand
DY. SUPERINTENDENT PGT-II
for DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA