



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

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

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

Order No. 2/16-2023 HRME-I (4) Dated, Panchkula, the 03.05.2024

In compliance of Hon'ble High Court orders dated 22.02.2024 in LPA No.1689 of 2023 titled as Sohan Lal & others v/s Haryana Staff Selection Commission & others Sh. Sonu, Clerk is hereby allowed to re-join at GMS Daulatpur Khera, Sirsa against vacant post but subject to the condition of final outcome of LPA No.1689 of 2023, pending before the Hon'ble High Court.

**JITENDER KUMAR, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA**

Endst. No Even

Dated, Panchkula:- 06/05/24

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

1. The Principal Accountant General (A&E) Haryana, Chandigarh.
2. The Secretary, Hararyana Staff Selection Commission, Sector-2, Panchkula.
3. District Education Officer, Sirsa.
4. Headmaster, GMS Daulatpur Khera, Sirsa
5. Sh. Sonu, Clerk O/o GMS Daulatpur Khera, Sirsa
6. IT Cell (Head Quarter).

**SUPERINTENDENT HRME-I
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
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ORDER

No. 13/128-2023 HRME-I (3) Dated, Panchkula the 30.04.2024

Sh. Santosh Kumar [006285], Assistant O/o District Education Officer, Bhiwani, was placed under suspension vide order No. 5/8-2021 HRME-I (3) dated 20.04.2021 who was re-instated on dated 29.10.2021 during pending enquiry. Thereafter, the chargesheet was dropped vide order dated 18.12.2023 by competent authority.

Therefore, in view of the position explained above, the period of suspension of Sh. Santosh Kumar [006285], Assistant O/o District Education Officer, Bhiwani from 20.04.2021 to 11.11.2021 is hereby treated as duty period for all intents & purposes.


JITENDER KUMAR, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

Endst. No. Even

Dated, Panchkula the

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

- 1 Principal Account General (A&E) Haryana, Chandigarh.
- 2 District Education Officer, Bhiwani
- 3 Sh. Santosh Kumar, Clerk O/o DEO Bhiwani.
- 4 I.T.Cell.


SUPERINTENDENT HRME-I
FOR DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA



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ORDER

Order No. 6/34-2024 SE (4)

Date: 30.04.2024

Approval is hereby accorded to start Science Stream in the Shaheed Major Amit Deswal Government Senior Secondary School, Surehti (3186), Jhajjar provided that sufficient strength of Science stream students is maintained. One post of PGT Biology, PGT Chemistry and PGT Physics is also allocated to the school.

**JITENDER KUMAR, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA**

Endst. No. Even

Dated, Panchkula, the 01.05.2024

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

1. Accountant General (A & E), Haryana, Chandigarh.
2. The Secretary, Board of School Education, Haryana, Bhiwani.
3. District Education Officer, Jhajjar.
4. Principal, Shaheed Major Amit Deswal Government Senior Secondary School, Surehti (3186), Jhajjar.
5. Treasury Officer Jhajjar.
6. PA/DSE.
7. PA/ Joint Director (Admn).
- ✓ 8. IT Cell (Local).

Nedra
**Superintendent, Secondary Branch
for Director Secondary Education
Haryana, Panchkula**

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ORDER

Order No. 6/30-2024 SE (4)

Date: 25.04.2024

Approval is hereby accorded to start Science Stream in the Government Girls Senior Secondary School, Kalayat (2180), Kaithal provided that sufficient strength of Science stream students is maintained. One post of PGT Biology and PGT Physics is also allocated to the school.

JITENDER KUMAR, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

Endst. No. Even

Dated, Panchkula, the, 30-04-2024

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

1. Accountant General (A & E), Haryana, Chandigarh.
2. The Secretary, Board of School Education, Haryana, Bhiwani.
3. District Education Officer, Kaithal.
4. Principal, Government Girls Senior Secondary School, Kalayat (2180), Kaithal.
5. Treasury Officer Kaithal.
6. PA/DSE.
7. PA/ Joint Director (Admn).
- ✓ 8. IT Cell (Local).

Heclan
Superintendent, Secondary Branch
for Director Secondary Education
Haryana, Panchkula

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ORDER

Order No. 6/25-2024 SE (4)

Date: 25.04.2024

Approval is hereby accorded to start Science Stream in the Government Senior Secondary School, Prabhuwala (1260), Hisar provided that sufficient strength of Science stream students is maintained. One post of PGT Chemistry, PGT Biology and PGT Physics is also allocated to the school.

**JITENDER KUMAR, IAS
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA**

Endst. No. Even

Dated, Panchkula, the, 30-04-2024

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

1. Accountant General (A & E), Haryana, Chandigarh.
2. The Secretary, Board of School Education, Haryana, Bhiwani.
3. District Education Officer, Hisar.
4. Principal, Government Senior Secondary School, Prabhuwala (1260), Hisar.
5. Treasury Officer Hisar.
6. PA/DSE.
7. PA/ Joint Director (Admn).
8. IT Cell (Local).

Arslan
**Superintendent, Secondary Branch
for Director Secondary Education
Haryana, Panchkula**





GOVERNMENT OF HARYANA/हरियाणासरकार

Directorate of Secondary Education

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ORDER

No. 12/20-2023 HRME-II (1)

Dated, Panchkula 06.05.2024

Smt. Pinki Devi, Clerk, GHS, Bapda-Bapdi, Kurukshetra is hereby granted Child Care Leave w.e.f. 07.05.2024 to 06.06.2024 (31 days) as per Finance Department instructions No. 11/102/ 2009-3FR dated 05.02.2010, dated 05.11.2012 and letter No.11/ 102/ 2009-3FR/2067 dated 01.02.2016.

DR. RICHA RATHEE, HCS
ADDITIONAL DIRECTOR ADMN-I
O/o DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA

ENDST. NO. EVEN**DATED, PANCHKULA THE**

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

1. District Education Officer, Kurukshetra w.r.t. their letter No. E-3/2024/1026 Dated 28.03.2024.
2. Headmaster Govt. High School Bapdi-Bapda Kurukshetra.
3. Smt. Pinki Devi, Clerk, GHS, Bapda-Bapdi, Kurukshetra.
- ✓ 4. IT Cell.

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



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

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

Order No. 20/234-2024 PGT-IV (1) Dated, Panchkula, the 06.05.2024

Smt. Kanika, PGT Chemistry, Government Senior Secondary School, Modakhera (1462), Hisar is hereby granted the Child Care Leave from 01.05.2024 to 30.05.2024 (30 days) subject to fulfillment of the Provision of Rule, 46 of Haryana Civil Services (Leave) Rules, 2016.


**MANISHA SHARMA, HCS
ADDITIONAL DIRECTOR (MSS)
SECONDARY EDUCATION DEPARTMENT
HARYANA, PANCHKULA**

Endst. No. Even

Dated Panchkula, the 07/05/2024

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

1. District Education Officer, Hisar in reference of their office letter no. E-IV-2024/556 dated 25.04.2024.
2. Principal Government Senior Secondary School, Modakhera (1462), Hisar.
3. Smt. Kanika, PGT Chemistry, Government Senior Secondary School, Modakhera (1462), Hisar.
4. IT Cell for uploading the orders on website of Directorate.


Superintendent PGT-IV
for Director Secondary Education
Haryana, Panchkula

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

Order No. 20/35-2024 PGT-IV (2) Dated, Panchkula, the 06.05.2024

In continuation of the this Office Orders No. 20/35-2024 PGT-IV (2) dated 19.01.2024 the Child care leave of Smt. Anju Rani, PGT Biology, Government Senior Secondary School Khanak, Bhiwani is hereby extended from 30.04.2024 to 29.05.2024 (30 days) subject to fulfillment of the provision of Rule, 46 of Haryana Civil Services (Leave) Rules, 2016.

Note- I: The post of the applicant will be considered vacant due to leave of more than 89 days and she is directed to report the Head Quarter after completion of leave as per instruction vide order No.1/3-2018 Admn. (I) dated 13.07.2022


**MANISHA SHARMA, HCS
ADDITIONAL DIRECTOR (MSS)
O/o SECONDARY EDUCATION DEPARTMENT
HARYANA, PANCHKULA**

Endst. No. Even

Dated, Panchkula, the 07/05/2024

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

1. District Education Officer, Bhiwani
2. Principal, Government Senior Secondary School Khanak, Bhiwani directed to ensure that the CCL orders be updated in the service book
3. Smt. Anju Rani, PGT Biology, Government Senior Secondary School Khanak, Bhiwani.
4. I.T Cell for uploading the orders on website of Directorate.


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

**GOVERNMENT OF HARYANA
SECONDARY EDUCATION DEPARTMENT
PANCHKULA**

Order No 17/22-2024 HRME-II (1)

Dated: 30.04.2024

Relaxation in Rules for treatment from an unapproved Private Hospital on the basis of emergency certificate issued by Civil Surgeon concerned is hereby granted to **Sh. Mohinder Singh, Retd Clerk, GGSSS, Thanesar, Kurukshetra** amounting to Rs. 18,645/- (Rs. Eighteen Thousand Six Hundred Forty Five Only) the re-imburement of Medical Bill of **self** from **Saraswati Mission Hospital, Pehowa, Kurukshetra** (un-approved) as per letter of Health Department bearing No. 2/24/2013-1HB dated 19.09.2016.

Sr. No.	Name of Claimant	Amount	Relation with Patient	Period of Treatment
1.	Sh. Mohinder Singh, Retd Clerk, GGSSS, Thanesar, Kurukshetra	Rs. 18,645/-	Self	19.06.2023 to 23.06.2023

**JITENDER KUMAR, IAS
SPECIAL SECRETARY TO GOVT. HARYANA
SCHOOL EDUCATION DEPARTMENT,
HARYANA, PANCHKULA**

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

Endst. No. Even

Dated, Panchkula, the:- 06.05.2024

Regd.

1. District Education Officer, Kurukshetra with reference to their letter No A-4-24/17930 dated 19.01.2024 alongwith original Medical Bill and vouchers.
2. Treasury Officer, Concerned.
3. **Principal, GGSSS, Thanesar, Kurukshetra.**
4. **Sh. Mohinder Singh, Retd Clerk, R/o Khera Wali Gali, Village Ratgal, Thanesar, Kurukshetra, Haryana (136118).**
5. IT Cell.

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



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Regd.

To

District Education Officer,
 Panipat.

Memo No. **12/88-2023 HRG-I (3)**
 Dated, Panchkula, the 03.05.2024

Subject: Permission to go abroad – Sh. Vedpal, Principal Govt. Senior Secondary School Dadlana Distt. Panipat.

Kindly refer to your office letter No. E-1/2024/374 dated 11.03.2024 on the subject cited above.

The permission is hereby accorded to **Sh. Vedpal, Principal Govt. Senior Secondary School Dadlana Distt. Panipat** from 25.05.2024 to 01.07.2024 to visit Canada for meet her son and family on the following conditions:-

1. That he/she will obtain prior permission from competent authority for earned leave and will not proceed abroad without getting the leave sanction.
2. That he/she will hand over the charge before going abroad.
3. That this permission is subject to condition that he/she will not join any Govt. or Non Govt. Job in abroad.
4. That there will no financial burdens on the State exchequer.
5. That he/she will not extend leave from abroad in any circumstances.
6. That he/she will abide by all the rules and will be faith full to the Constitution of India.
7. That security record of the Government will not be effected in anyway due to his/her going to abroad.

EFC
Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula

Endst. No. Even

Dated, Panchkula, the 03.05.2024

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

1. **Sh. Vedpal, Principal Govt. Senior Secondary School Dadlana Distt. Panipat**
2. IT Cell (Local).

[Signature]
Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula



GOVERNMENT OF HARYANA / हरियाणा सरकार
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Regd.

To

District Education Officer,
 Jhajjar.

Memo No. **12/25-2024 HRG-I (3)**
 Dated, Panchkula, the 03.05.2024

Subject: Permission to go abroad – Smt. Murti Kumari, Principal Govt. Senior Secondary School Soldha [3127] Distt. Jhajjar.

Kindly refer to your office letter No. E-1/2024/282 dated 14.03.2024 on the subject cited above.

The permission is hereby accorded to **Smt. Murti Kumari, Principal Govt. Senior Secondary School Soldha [3127] Distt. Jhajjar** from 04.06.2024 to 29.06.2024 to visit U.K. for meet her daughter and family on the following conditions:-

1. That he/she will obtain prior permission from competent authority for earned leave and will not proceed abroad without getting the leave sanction.
2. That he/she will hand over the charge before going abroad.
3. That this permission is subject to condition that he/she will not join any Govt. or Non Govt. Job in abroad.
4. That there will no financial burdens on the State exchequer.
5. That he/she will not extend leave from abroad in any circumstances.
6. That he/she will abide by all the rules and will be faith full to the Constitution of India.
7. That security record of the Government will not be effected in anyway due to his/her going to abroad.

Superintendent HRG-I
 For Director Secondary Education,
 Haryana, Panchkula

Endst. No. Even

Dated, Panchkula, the 03.05.2024

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

1. **Smt. Murti Kumari, Principal Govt. Senior Secondary School Soldha [3127] Distt. Jhajjar.**

2. IT Cell (Local).

Superintendent HRG-I
 For Director Secondary Education,
 Haryana, Panchkula



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Regd.

To

District Education Officer,
 Karnal.

Memo No. **12/23-2024 HRG-I (3)**
 Dated, Panchkula, the 03.05.2024

Subject: Permission to go abroad – Smt. Neeraj [023906], Principal Govt. Senior Secondary School Anjabthali [1808] Distt. Karnal.

Kindly refer to your office letter No. E-1/2024/7316 dated 04.03.2024 on the subject cited above.

The permission is hereby accorded to **Smt. Neeraj [023906], Principal Govt. Senior Secondary School Anjabthali [1808] Distt. Karnal** from 01.06.2024 to 08.07.2024 to visit USA for meet her son and daughter in law on the following conditions:-

1. That he/she will obtain prior permission from competent authority for earned leave and will not proceed abroad without getting the leave sanction.
2. That he/she will hand over the charge before going abroad.
3. That this permission is subject to condition that he/she will not join any Govt. or Non Govt. Job in abroad.
4. That there will no financial burdens on the State exchequer.
5. That he/she will not extend leave from abroad in any circumstances.
6. That he/she will abide by all the rules and will be faith full to the Constitution of India.
7. That security record of the Government will not be effected in anyway due to his/her going to abroad.

Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula

Endst. No. Even

Dated, Panchkula, the 03.05.2024

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

1. **Smt. Neeraj [023906], Principal Govt. Senior Secondary School Anjabthali [1808] Distt. Karnal.**
2. IT Cell (Local).

Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula

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

ORDER No. 13/5-2024 HRME-I (4)

Dated, Panchkula, the 03-05-2024

Whereas the petitioners had filed the Civil Writ Petition No.26059 of 2023 Usha Rani and others V/s State of Haryana and others in Hon'ble High Court praying therein for issuance of a writ in the nature of mandamus to grant the one increment which becomes due on 1st July of the retirement year of the petitioner in view of judgment passed by the Hon'ble Apex Court in Civil Appeal no. 2471 of 2023 (Annexure P-5) along-with all consequential benefits.

The above said writ petition came up for hearing on 20.11.2023 and on that day, the Hon'ble High Court was pleased to dispose of the same with the following order:-

3. Notice of motion.

4. Mr. Ravinder Singh Budhwar, Addl. AG, Haryana, appearing on advance notice, contends that the issue stands settled by the Supreme Court by judgment passed in Director (Admn. and HR) KPTCL and others v. C.P. Mundinamani and others, 2023 SCC online SC 401, and the pending legal notice will be decided in terms thereof by respondent no.3/Director, Secondary Education, Haryana, within two 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 pursuance of the order dated 20.11.2023 passed by the Hon'ble High Court, the matter has been examined at length and found that State Government sought clarification from Government of India (hereinafter referred as GOI) regarding grant of notional increment as it was pending with the GOI. The State Government on the receipt of clarification from GOI, had issued instructions vide memo No. 6/183/2018-4PR (FD) dated 25.11.2020 vide which the State Government found that the claim of annual increment to the Government employees/petitioners who are not in service on 1st July due to retirement/superannuation, is not tenable.



Whereas, 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, 2016 provides as under:-

On subsequent appointment to a post of level higher than or identical to functional or ACP level in the same or any other department of Haryana Government where the application for the same has—

- (i) not been submitted through proper channel, pay shall be fixed at entry level pay of the post of subsequent appointment admissible under rule 9; or***
- (ii) been submitted through proper channel, the pay shall be fixed—***
 - (a) at entry level pay of the post; or***
 - (b) equal to the corresponding cell if available in the functional level of the new post; or***
 - (c) at the next cell above the existing cell if the same cell is not available in the functional level of the new post.***

Note 1.— Where pay is fixed equal to entry level pay, the date of next increment in both the cases (i) and (ii) above shall be the 1st January or 1st July subject to completion of minimum six months qualifying service before that date.

Note 2.— Where pay in the pay level is fixed equal to the pay already drawn, the date of next increment in (ii) above shall remain unchanged. However, where the pay is fixed under sub-clause (ii) of clause (c) above, the date of next increment shall be the 1st January or 1st July subject to completion of minimum six months qualifying service before that date.

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

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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 4(b) of FD instruction dated 25.11.2020) neither rule 10 of HCS (Revised Pay) Rules, 2016 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, 2016 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.

Keeping in view the 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 Government employees 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 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."

Apart from this, it is pertinent to mention here that the Finance Department, Haryana has advised in a similar matter vide its advice no. 6/124/2018-3PR (FD)/20949 dated 06.10.2023, which is reproduced here as under

"Finance Department observes that in Civil Appeal No. 2471 of 2023, the Hon'ble Supreme Court has decided the issue in favour of the petitioners and against the Government. The Hon'ble Supreme Court has mainly relied upon the Regulation 40(1) of Karnataka Electricity Board Employees Service Regulations which states that 'an increment accrues from the day following that on which it is earned. Thus the appellants have earned the increment on the date of their retirement i.e. when they were in service and

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what remains thereafter, is only its enforcement in the form of payment which accrues the very next day and they need not be in service on that date to earn the increment. In rest of the orders the Hon'ble Supreme Court has mentioned different court orders. No other rule is considered.

Further the general principle of granting annual increment is as under:-

1. An increment is a part of the pay that a Government servant is allowed while discharging duties of his post. Thus, although an increment may accrue to a Government servant on a particular day but he must be discharging the duties attached to the post.

2. Annual increase in pay is granted to an employee with the stipulation that he will perform better in future due to his past experience.

3. A Government servant cease drawing pay and allowances attached to his post with effect from the date on which he ceases to discharge the duties of that post.

4. On the next date of retirement, the Government employee doesn't remain in service rather, he became a pensioner.

5. Hence, no increase in pay can be granted after retirement for the purpose of enhancement in pension.

6. The position can be understood from an example. Suppose an employee is appointed for 5 years in the pay scale of Rs. 10000-325-13900. He joins service on 1st July 2008. His pay is regulated as under:-

Year	Basic Pay	Remarks
1 st Year 1.7.2008 to 30.6.2009	Rs. 10000	This pay will remain valid for one year i.e. 1.7.2008 to 30.6.2009
2 nd year 1.7.2009 to 30.6.2010	RS. 10325	Granted one increment on completion of one year service which is valid for next one year i.e. 1.7.2009 to 30.6.2010.
3 rd year 1.7.2010 to 30.06.2011	Rs. 10650	Valid for 1.7.2010 to 30.6.2011
4 th year 1.7.2011 to 30.6.2012	Rs. 10975	Valid for 1.7.2011 to 30.6.2012
5 th year 1.7.2012 to 30.6.2013	Rs. 11300	Valid for 1.7.2012 to 30.6.2013

His last pay of Rs 11300/- is valid upto 30.6.2013 and he retired on same day i.e. 30.6.2013. If another increment is granted on 1.7.2013, that will be valid for next year i.e. 1.7.2013 to 30.6.2014 However, he is not in service for this period even for a single day. Therefore, he cannot be considered for grant of increment as on 1.7.2013 unless he is in service as on 1.7.2013

The Hon'ble Kerala High Court has decided O.P. (CAT) NO. 61 of 2020 vide order dated 22.11.2022. and considered the Rules governing the issue, namely, the Fundamental Rules (F.R.17, F.R.24, F.R.56(a) and the 1st proviso to F.R. 56(a)) and Rules 3, 5, 14, 33 and 34 of the CCS (Pension) Rules. Further, the Hon'ble Kerala High Court has considered the different decisions of various courts either in favour of retired employees or in favour of the Government.

The Hon'ble Supreme Court has given some decisions in favour of the Government as mentioned in FD's instruction dated 25.11.2020. The decision of Hon'ble Kerala High Court is descriptive after considering relevant rules and various decision of the Apex Court as well as different Hon'ble High Courts. Hence, decision of Hon'ble Kerala High Court may be considered as landmark decision.

Whereas, the Hon'ble Punjab and Haryana High Court has disposed of the related CWP No. 12453 of 2017 titled as Satyapal & others Vs. State of Haryana & others vide its order dated 12.10.2023 in terms and conditions 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" decided on 11.04.2023.

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 No. 913 of 2024 titled as State of Haryana & others vs. Satya Pal & Others on 03.04.2024 which is pending for adjudication before in the Hon'ble Punjab and Haryana High Court.

Keeping in view the position explained above, the claim of the claimant regarding the grant of one increment w.e.f 01.07.2023 and re-fixation of consequential benefits is not sustainable as the concerned petitioner no.1 namely Usha Rani was retired from Government service on 30.06.2023 from the post of

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Superintendent and was not in service as on 01.07.2023. Hence, the claim for annual increment w.e.f. 01.07.2023 is not sustainable in the eyes of law and is hereby rejected.

I, therefore, pass the order accordingly.


(JITENDER KUMAR)
DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA

Regd.
To

Smt. Usha Rani w/o Chandu Lal Saini R/o H.No.549, Sec-13 Hisar


Endst No Even

Dated Even 03-05-2024

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

1. District Education Officer, Hisar

✓ 2. IT Cell


SUPERINTENDENT, HRME-I
FOR DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA