

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL**

Present: Hon'ble Mr. Rajendra Singh
.....Vice Chairman (J)

Hon'ble Mr. A.S.Rawat
.....Vice Chairman(A)

CLAIM PETITION NO. 99/NB/DB/2025

1. Manmohan Singh Rawat (Male) Aged about 58 years S/o Sri Bhawan Singh R/o Village Kaphaliya P.O. Rampur District Almora Presently posted as Group IV at Forest Division Almora, Forest Post Mohan District Almora.
2. Tej Singh (Male) Aged about 60 years S/o Sri Prataap Singh R/o Presently posted as Group IV at Forest Division Almora.
3. Harish Chandra Joshi (Male) Aged about 64 years S/o Sri Keshav Dutt Joshi Presently posted as Group IV at Someshwar Range Forest Division Almora
4. Chandan Singh (Male) Aged about 58 years S/o Sri Govind Singh Presently posted as Group IV at Someshwar Range Forest Division Almora
5. Har Singh (Male) Aged about 64 years S/o Sri Jagdish Singh Presently posted as Group IV at Forest Division Almora.
6. Darban Singh (Male) Aged about 59 years S/o Sri Chandan Singh Presently posted as Group IV at Forest Division Almora
7. Yaswant Singh Kathaiat Aged about 52 years S/o Sri Darban Singh Presently posted as Group IV at Forest Division Rudrapryag
8. Bhupendra Singh Bhandari (Male) Aged about 56 years S/o Sri Shivraj Singh Presently posted as Group IV at Forest Division Rudrapryag
9. Chandan Singh (Male) Aged about 59 years S/o Sri Amar Singh Presently posted as Group IV at Forest Division Almora.
10. Naveen Tiwari (Male) Aged about 51 years S/o Late Sri Leeladhar Tiwari R/o Village Chhana Post Office Dhaulaghat District Almora Presently Posted at Forest Division Almora District Almora
11. Goverdhan Ram (Male) Aged about 63 years S/O Sri Lali Ram Retired from Forest Division Almora District Almora
12. Harish Singh Purohit (Male) Aged about 51 years S/o Sri Devi Datt Presently Posted at Forest Division Tharali Range Badrinath.
13. Kailash Chandra Tiwari (Male) Aged about 58 years S/o Sri Revadhar Tiwari Presently Posted at Forest Division Almora District Almora
14. Chandan Singh Koranga (Male) Aged about 59 years S/o Sri Bachey Singh Presently Posted at Forest Division Pithoragrah District Pithoragarh
15. Manohar Pathak (Male) Aged about 60 years S/o Sri Jai Datt Pathak Presently Posted at Forest Division Pithoragarh District Pithoragarh
16. Ummed Singh (Male) S/o Aged about 57 years S/o Sri Balem Singh Presently Posted at Forest Division Almora District Almora.

17. Amar Singh (Male) Aged about 51 years S/o Sri Bhawan Singh Presently Posted at Forest Division Almora District Almora.

18. Raghuveer Lal (Male) Aged about 59 years S/o Sri Shyami Ram Presently Posted at Forest Division Tharali Range Badrinath.

19. Mohan Lal (Male) Aged about 51 years S/o Sri Shyami Ram Presently Posted at Forest Division Tharali Range Badrinath.

20. Lalit Kumar (Male) Aged about 55 years S/o Sri Gopal Singh Presently Posted at Forest Division Tharali Range Badrinath.

21. Manohar Singh (Male) Aged about 62 years S/o Shri Pratap Singh Resident of Village Dummar P.o. Dummar Retried from Forest Division Pithoragarh.

22. Rajendar Singh (Male) Aged about 60 years S/o Sri Bishan Singh R/o Village Barthi P.O. Shandev District Pithoragarh Retried from Forest Division Pithoragarh.

23. Kunwar Singh (Male) Aged about 62 years S/o Sri Dhan Singh R/o Village Hunera Post Aadibora District Pithoragarh Retried from Forest Division Pithoragarh.

24. Bhawan Singh (Male) Aged about 58 years S/o Daan Singh R/o Village Airor P.O. Pantkotli District Almora Retried from Forest Division Pithoragarh.

25. Devidutt (Male) Aged about 55 years S/o Sri Ratanmani R/o Village Gartoli Post Phultari District Pithoragarh Retried from Forest Division Pithoragarh.

26. Chanchal Singh (Male) Aged about 79 years S/o Sri Vijay Singh R/o Village Haat post Dharchula District Pithoragarh Retried from Forest Division Pithoragarh.

27. Kundan Singh (Male) Aged about 56 years S/o Sri Dhan Singh R/o Village Syalve post Vlnaayak District Pithoragarh Retried from Forest Division Pithoragarh.

28. Chandra Prakash Pandey (Male) Aged about 61 years S/o Sri Damodar Pandey R/o Village Chaana post Bharmuni District Pithoragarh Retried from Forest Division Pithoragarh.

29. Jagdish Chandra Joshi (Male) Aged about 56 years S/o Sri Prem Ballabh Joshi R/o Village Rishang post Manch Distict Champawat Retried from Forest Division Champawat.

30. Bharat Singh (Male) Aged about 53 years S/o Sri Rewal Singh R/o Village Gangasir post Sukhidang Champawat Retried from Forest Division Champawat

31. Tilomani Joshi (Male) Aged about 48 years S/o Sri Bhawdev R/o Village Bhoradi post Bhoradi District Champhawat Retried from Forest Division Champawat.

32. Sumedh Singh (Male) S/o Sri Bachan Singh Presently Posted as Class IV at Forest Division Rudrapryag District Rudrapryag.

33. Kuber Singh Negi (Male) S/o Sri Jaspal Singh Negi Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

34. Jai Prakash Maletha (Male) S/o Sri Ghanshaym Maletha Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

35. Pushker Singh Negi (Male) S/o Sri Umraw Singh Negi Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

36. Surendra Singh Farswan (Male) S/o Sri Sobat Singh Farswan Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

37. Rai Singh Rawat (Male) S/o Sri Ram Singh Rawat Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

38. Narendra Singh Rana(Male) S/o Sri Sobha Singh Rana Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

39. Kuber Singh Bisht (Male) S/o Sri Pratap Singh Bisht Presently Posted as Class IV at Forest Division Rudrapryag, District Rudrapryag.

40. Krishna Devi (Female) W/o Sri Vijay Singh Retired as Class IV at Forest Division Rudrapryag, District Rudrapryag.

..... **Petitioners**

Vs.

1. State of Uttarakhand through Principal Secretary Forest, Dehradun.
2. Chief Conservator of Forest, Uttarakhand, Dehradun.

..... **Respondents**

Present: Sri Harish Adhikari, Advocate for the petitioners
 Sri Kishore Kumar, A.P.O., for the State respondents

JUDGMENT

DATED:JANUARY 02, 2026

The petitioners have filed this claim petition for the following reliefs:

“(i) To issue appropriate direction directing the respondents forthwith pay the arrears of the 7th pay commission w.e.f. 01-01-2016 alongwith 18% pursuant to the directions of the Hon’ble Apex Court dated 12-02-2020 passed in Civil Appeal Nos. 1486-1487 of 2020 (SLP(C) Nos. 11651-11652 of 2019) Uttarakhand Van Shramik Sangh Ranibagh and others Vs/ The State of Uttarakhand and others (Annexure No.1 to the claim petition) or in alternate pass any other order direction which this Hon’ble court may deem fit and proper under the facts and circumstances stated in the body of the claim petition.

“(ii) To issue any other order or direction which this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Learned Counsel for the petitioners submitted that the petitioners are the employees of the forest department and some of the petitioners are retired from service and some of the petitioners are still

working in the department and their service were regularized pursuant to the judgment of the Hon'ble Apex Court in Putti Lal case, in which, it has been held that the members of the Kumaon Ban Shramik Sangh were being paid DA on a regular basis as per the judgment rendered by the Allahabad High Court in Writ Petition No. 15627 of 1988. The petitioners who were engaged by the erstwhile state of U.P. on the daily wages are the members of the Kumoun Ban Shramik Sangh and after the creation of the State of Uttarakhand their services were transferred to state of U.P. It is submitted that despite the aforesaid judgment of the Hon'ble Apex Court, the respondent department was discriminating the employees of the department who are working in daily wages and not paying the D.A. Aggrieved by the said action of the respondents the Union as well as individuals persons approached the Hon'ble Apex Court and after the intervention of the Hon'ble Apex Court the employees like the petitioners were paid the D.A. along with minimum pay scale and also granted the benefit of the 6th pay commission along with their counter parts working on regular basis. It is further submitted that when the 7th pay commission was implemented in the department the respondent department again discriminated the daily wagers like the petitioners then the Union again approached the Hon'ble Apex Court by way filing the Civil Appeal Nos. 1486-1487 of 2020 (SLP(C) Nos. 11651-11652 of 2019) Uttarakhand Van Shramik Sangh Ranibagh and others Vs/ The State of Uttarakhand and others and the Hon'ble Apex Court after hearing parties passed the following judgment:

"We are in agreement with the claim of learned counsel that in view of the judgment referred to aforesaid the minimum of the pay-scale as is defined is with reference to the counter parts in the Government holding the Government posts. Thus, if the 7th Pay Commission is implemented (as is conceded) qua the regular employees, the workers like the appellants would be entitled to the minimum of the pay-scale of those regular Government employees of the Group D posts."

The respondent department after the above judgment and after filing the contempt petition before the Hon'ble Apex Court, allowed the benefit of the 7th pay commission w.e.f. the date of the judgment i.e. 12-02-2020, but did not pay the arrears of the same w.e.f. 01-01-2016.

3. After hearing learned Counsel for the petitioners to some extent, he confined his prayer to the extent that he will move a detailed fresh

representation to the Respondent no. 1, stating all the relevant facts, mentioned in the claim petition, which may kindly be directed to be decided by the Respondent no.1 (State of Uttarakhand through Principal Secretary, Forest, Dehradun) within a stipulated time, by a reasoned and speaking order.

4. Learned A.P.O. has no objection to the innocuous prayer of learned Counsel for the petitioners.

5. In view of the above, the petitioners shall move a detailed fresh representation to the Respondent no.1(State of Uttarakhand through Principal Secretary, Forest, Dehradun) within 15 days and the Respondent no.1 shall decide the representation of the petitioners by a reasoned and speaking order within three months, from the date of presentation of certified copy of this order along with representation.

6. Accordingly, the claim petition is disposed of, at the admission stage. No order as to costs.

A.S.RAWAT
VICE CHAIRMAN (A)

RAJENDRA SINGH
VICE CHAIRMAN (J)

*DATED: JANUARY 02, 2026
DEHRADUN
KNP*