

Through Mail

No. EDN-H(Ele)(III)B(6)-PTA/2025,
Government of Himachal Pradesh
Directorate of Elementary Education

प्रारम्भिक शिक्षा निदेशालय (हि.प्र.)

21 FEB 2025

शिमला-1

To

Dated Shimla-171001, the February, 2025

✓ All the Deputy Director of Elementary Education
in Himachal Pradesh.

Subject: -

Regarding implementation of judgment passed by the Hon'ble High Court of
H.P. on dated 22.12.2023 in CWP No. 10575/2023- titled as Ravi Kant & ors. vs
State of H.P. & ors.

Sir/Madam,

It is informed that the Government framed PTA Rules in 2006 for the
engagement of teachers, effective from 29.06.2006. Subsequently, the Government, vide letter dated
02.01.2015, conveyed approval for taking over the services of PTA-GIA engaged teachers on a contract
basis, provided they had completed seven years of continuous service and met the required qualifications
as per the Recruitment & Promotion (R&P) Rules at the time of their engagement.

Further, through a letter dated 03.01.2015, the Government approved as under:-

"a) that the period of absence such as Extra Ordinary Leave availed for doing
B.Ed./any other higher qualification required to fulfill R&P Rules, Maternity leave availed beyond 84 or
168 days (two separate spells of Maternity leave) as the case may be, leave availed on medical grounds
should not be considered as break in service for the purpose of counting of qualifying period of 7 years
for regularization/taking on contract as the case may be.

b) In case of PTA this should be for a maximum period of 42 days for taking them
on contract."

When the process of bringing the services of PTA (GIA) teachers, who had
completed seven years of services, was under way, some court cases were filed against the engagement of
PTA (GIA) provided teachers in which status quo was maintained by the Hon'ble Apex Court, as a result
services of some of the PTA (GIA) provided teachers could not be brought on contract basis in pursuance
to the direction of the Govt. on 03.01.2015. Later the cases were disposed of by the Apex Court without
any relief to the petitioners. Thereafter, the services of PTA provided teachers were regularized as per the
decision of Government conveyed vide letter dated 20.08.2020, along with those whose services had been
taken on contract in 2015. Now, the petitioners in CWP No. 10575/2023 titled as Ravi Kant & ors. Vs
State of HP whose services were regularized without taking them on contract basis are claiming the
benefit of regularization w.e.f. 01.04.2018 in terms of the judgment passed in CWP No. 342/2021 titled as
Yashwant Singh & ors. Vs State of HP.

You are directed that the case of the petitioners of C&V category in CWP No.
10575/2023 titled as Ravi Kant Vs State of HP be examined individual-wise, if there is not brake in their
services or if the break is covered under the Govt. instruction dt. 03.01.2015 mentioned above in para-2,
toward counting seven years service up to 03.01.2015, C&V category teachers be granted benefit of such
taking over on contract basis w.e.f. 03.01.2015 & subsequently allowed benefit of regularization w.e.f.
01.04.2018, by passing appropriate orders.

The cases of such teachers, whose break in service is not covered under the
instructions of the Govt. ibid. at para-2 for counting seven years up to 03.01.2015 be rejected by passing
speaking orders.

Endst. No. Even dated Shimla-171001, the
Copy for information and necessary action to:-

1. The Distt. Attorney, Dte. of Ele. Education, HP, Shimla-1.
2. Guard file.

M
DIRECTOR
February, 2025

13 MAR 2025

-Sd-

DIRECTOR

ENDST No. EDN - KAR - (E-9) Court Case - 2025.
Copy forwarded to:-

All Principals/Hrs of GSSS/GHS for compliance
By Director of Elementary Edu.
Kangra at Dharamshala