

(2010) 11 SHI CK 0302
In the High Court Of Himachal Pradesh
Case No : CWP No. 7261 of 2010

Ram Bhaj Sharma and Others	Vs	APPELLANT
State of H.P. and Others		RESPONDENT

Date of Decision : 22-11-2010

Acts Referred:

Citation : (2010) 11 SHI CK 0302

Hon'ble Judges : Kurian Joseph, C.J;V.K. Ahuja, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The core issue raised in these writ petitions pertains to the question as to whether Para Teacher is to be equated and similarly treated as a Contract Teacher for the purpose of emoluments. We do not think that the issue requires consideration of any factual or legal issue in view of the stand already taken by the Government as borne out of the communication dated 7.4.2007 Annexure P1, which reads as follows:

I am directed to state that the matter regarding bringing Para Teachers working in the Elementary & Higher Education Directorates at par with contract Teachers in the matter of emoluments was engaging the attention of the Government for some time.

Now, after consideration, it has been decided that the Para Teachers working in the Elementary or Higher Education Directorates be given the same emoluments as is being paid by the Government to the Contract Teachers,(i.e. initial of the pay scale of the category concerned plus dearness pay @ 50% thereon). This will be effective w.e.f. 1st April, 2007.

This issue with the prior concurrence of the Finance Department obtained vide their No. Fin (C) B 7/2003, dated 7.4.2007.

2. There is no change of policy either reviewing or recalling annexure P-1. Once the Government has already taken policy decision and equated Para Teachers for

all purposes with the Contract Teachers, it is only just, proper and reasonable as far as Contract Teachers' emoluments are concerned, they are treated at par with the Contract Teachers.

3. As far as other grievances, like vacation salary, annual increments are concerned, it will be open to the Petitioners to make comprehensive representation before the Government in view of the decision of this Court in Baldev Singh v. State of H.P. 2009 (1) HLJ 29 and the case of the Petitioners will be considered by the Government in the light of the judgment within another four months. Therefore, in the light of Annexure P-1 policy decision, it is made clear that Para Teachers shall also be entitled to the emoluments as are paid to the Contract Teachers.

4. The petition stands disposed of, so also the pending application(s), if any.