



GOVERNMENT OF HARYANA / हरियाणा सरकार

Directorate Elementary Education

मौलिक शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and Developmentउजलो मा ज्योतिरायस
Lead me from Darkness to Light

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

ORDER NO. 17/12-2014-HRM-I(1)

DATED, PANCHKULA: 20/01/2015

In partial modification of this Office order No. 17/12-2014-HRM-I(1) dated 13/01/2015 the following official(s) who were transferred to the post of Master DPE are hereby adjusted at the station(s) mentioned against their name(s) with immediate effect provided that they have not joined at their previous place of posting:-

Sr. No.	Transfer Id	Name , Designation	Present Place of Posting	Now Adjusted at	Remarks
1	70432	Sh. Harbans Singh DPE Master Employee ID: 065694	Under transfer from DEO Sirsa Distt. Sirsa [4609] to GSSS Lohgarh Distt. Sirsa [2868]	GSSS Mithri, Distt. Sirsa [2873]	Against vacancy
2	70433	Sh. Devinder Singh DPE Master Employee ID: 052182	Under transfer from DEO Fatehabad Distt. Fatehabad [4070] to GSSS Bhirrana Distt. Fatehabad [3270]	GSSS Jamalpur Sheikhan, Distt. Fatehabad [3435]	Against vacancy
3	70434	Sh. Ajay Sheoran DPE Master Employee ID: 069990	Under transfer from DEO Hisar Distt. Hisar [4158] to GMSSSS Sisai Distt. Hisar [1485]	GSSS Neoli Khurd, Distt. Hisar [4005]	Against vacancy
4	70435	Sh. Jagbir Singh DPE Master Employee ID: 066671	Under transfer from DEO Sonipat Distt. Sonipat [4611] to GSSS Tihar Malik Distt. Sonipat [3500]	GSSS Jatwara, Distt. Sonipat [3468]	Against vacancy
5	70436	Sh. Pardeep Singh DPE Master Employee ID: 067182	Under transfer from DEO Bhiwani Distt. Bhiwani [4120] to GSSS Tosham Distt. Bhiwani [390]	GMSSSS Tosham, Distt. Bhiwani [356]	Against vacancy
6	70437	Sh. Sewa Ram DPE Master Employee ID: 024692	Under transfer from DEO Karnal Distt. Karnal [4608] to GMSSSS Taraori Distt. Karnal [1807]	GSSS Karnal (Model Town), Distt. Karnal [1790]	Against vacancy
7	70438	Sh. Om Parkash DPE Master Employee ID: 001603	Under transfer from DEO Kurukshetra Distt. Kurukshetra [4607] to GSSS Nalvi Distt. Kurukshetra [2409]	GSSS Balahi, Distt. Kurukshetra [2306]	Against vacancy
8	70439	Sh. Surjeet Singh DPE Master Employee ID: 036991	Under transfer from DEO Jhajjar Distt. Jhajjar [4066] to GGSSS Bhaproda Distt. Jhajjar [3092]	GGSSS Noona Majra, Distt. Jhajjar [3091]	Against vacancy
9	70440	Sh. Ram Mehar DPE Master Employee ID: 001580	Under transfer from DEO Jind Distt. Jind [4115] to GSSS Naguran Distt. Jind [1505]	GSSS Jind (Defence Colony), Distt. Jind [1566]	Against vacancy
10	70441	Sh. Balraj DPE Master Employee ID: 072049	Under transfer from DEO Gurgaon Distt. Gurgaon [4140] to GSSS Bhora Kalan Distt. Gurgaon [683]	GSSS Kailana, Distt. Sonipat [3476]	Against vacancy

Sr. No.	Transfer Id	Name , Designation	Present Place of Posting	Now Adjusted at	Remarks
11	70442	Sh. Bhim Singh DPE Master Employee ID: 060110	Under transfer from DEO Ambala Distt. Ambala [4794] to GSSS Dukheri Distt. Ambala [74]	GSSS Mohri Bhanokheri, Distt. Ambala [29]	Against vacancy

Note: **Other terms and conditions of transfer orders will be remained same.**

**SUBHASH CHANDRA
DIRECTOR GENERAL ELEMENTARY EDUCATION
HARYANA, PANCHKULA**

DATED, PANCHKULA, 21.1.2015

ENDST. NO. 17/12-2014-HRM-I(1)

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

- 1 District Education Officer/ District Elementary Education Officer, Concerned.
- 2 Head of the institution, Concerned. It is hereby directed to check consent of both the employees those are transferred mutually, before their relieving / joining.
- 3 Official Concerned.
- 4 Secy. OSD/CM
- 5 Sr. PS/E.M.
- 6 Sr. PS/PSSE
- 7 PS/DSE
- 8 Technology officer (HQ)

Ravish Singh
21/1/15

**SUPERINTENDENT HRM-I
for DIRECTOR GENERAL ELEMENTARY EDUCATION
HARYANA, PANCHKULA**

1879/STC/11
21/01/15

OFFICE OF DIRECTOR ELEMENTARY EDUCATION HARYANA PANCHKULA

ORDER NO. 5/2-2015 HRM-I (1)

DATED, PANCHKULA, THE 13.01.2015

As per provisions contained in Haryana Govt. Finance Department notification No. 1/83/2008/1 PR (FD) dated 07-01-2009 and modified dated 04.03.2014 forwarding therewith notification dated 30.12.2008 for implementation of Haryana Civil Service (Revised Pay) Rules, 2008 and Haryana Civil Services (ACP) Rules, 2008, the following employees are hereby granted ACP in the grade as mentioned against their name on completion of their regular satisfactory service as per ACP Rules, 2008 may be checked up at the time of Pay fixation of the Official Concerned.

Sr. No.	Name, Desig, Place of posting	ACP Granted	Functional pa revised as per HCS Rule 2008	w.e.f.	Completion of service as 1) 8/16/24 years 2) 10/20/30 years
1.	Harmeet Bhatia, S.S., GHS Ugara Bara (Ambala)	2 nd	9300-34800+G.P 4800(As JBT)	01.04.2014	16 years
2.	Sukhvir Singh, Science Master, GMSSS Barara (Ambala)	1 st	9300-34800+G.P 4800	01.10.2013	10 years
3.	Satish Kumar, S.S., GSSS Zaffarpur (Ambala)	1 st	9300-34800+G.P 4800	01.04.2014	08 years
4.	Nirmal Gupta, S.S., GSSS Baknaur (Ambala)	2 nd	9300-34800+G.P 5400	01.04.2014	16 years
5.	Anil Kumar, ESHM, GMS Choti Kohri (Ambala)	3 rd	9300-34800+G.P 6000	01.04.2014	24 years
6.	Sudha Sharma, M.M., GSSS Saha (Ambala)	1 st	9300-34800+G.P 4800	01.10.2013	10 years
7.	Ravinder Kumar, M.M., GHS Kurali (Ambala)	1 st	9300-34800+G.P 4800	01.10.2013	10 years
8.	Gulab Singh, Science Master, GHS Talheri Gujrah (Ambala)	1 st	9300-34800+G.P 4800	01.10.2013	10 years
9.	Mahavir, S.S., GHS Kurali (Ambala)	2 nd	9300-34800+G.P 4800 (As JBT)	01.04.2014	16 years

SUBHASH CHANDRA
Director General Elementary Education
Haryana, Panchkula

ENDST. NO. EVEN

DATED, PANCHKULA, 21-1-15

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

Regd.

1. District Elementary Education Officer, Ambala.
2. Head of Institution concerned.
3. Official Concerned.
4. IT Cell.


SUPERINTENDENT HRM-I
FOR DIRECTOR ELEMENTARY EDUCATION
HARYANA, PANCHKULA

1880/ST cell
21/07/15

**OFFICE OF THE DIRECTOR GENERAL ELEMENTARY EDUCATION HARYANA
PANCHKULA**

ORDER NO. 23/8-2013 HRM-II (3)

DATED PANCHKULA THE, 01-01-2015

Sanction is hereby accorded under Rule 9.19 (b) of Punjab Civil Services Rules Volume-I Part-I (as applicable to the State of Haryana) read with Sr. No. 54 of Rule 15.1 (ibid) waiting period the following masters are hereby treated as a duty period for all intents and purposes:-

Sr. No.	Name & Designation	Present place of posting	Date of Period Condon
1	Sh. Rinku Yadav , Science Master	GMS Badopur (Mahendergarh)	14-06-2013 to 26-07-2013
2	Sh. Anil Kumar, Science Master	GMS Dharson (Mahendergarh)	18-06-2013 to 26-07-2013
3	Sh. Suresh Kumar Harit, Math Master	GSSS Jhaodha (Rewari)	28-09-2013 to 09-10-2013


**RITU HCS
ADDITIONAL DIRECTOR ADMINISTRATION
O/O DIRECTOR GENERAL ELEMENTARY EDUCATION
HARYANA, PANCHKULA**

ENDST NO. EVEN

DATED PANCHKULA THE, 20-1-2015

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

1. District Elementary Education Officer, Rewari and Mahendergarh with the request to arrange and draw salary of **above mentioned Masters**, any against vacant post.
2. Concerned Headmaster/ Principal.
3. The Accountant General (A&E) Haryana, Chandigarh.
4. Official concerned.
- ✓ 5. T.O./ I.T. Cell.


**Superintendent HRM-II
For Director General Elementary Education
Haryana, Panchkula**

OFFICE OF DIRECTOR ELEMENTARY EDUCATION HARYANA,
PANCHKULA

Order No. 17/121-2014-HR M-II (1)

Dated:13-01-2015

-) - I T Cell

1881/IT cell
21/01/15

Whereas Sh. Rattan Singh and others i.e. petitioners filed a CWP No 21369/14 titled as Rattan Singh & ors Vs State of Haryana & ors before Hon'ble Punjab & Haryana High Court. The only grievance of the petitioners is that they served on the post of JBT teachers for a period of 10/20 years before getting promotion in master cadre/C&V cadre. They enjoyed the benefit of first/second ACP pay scale before getting said promotion. The grievance of the petitioners is that they joined the higher posts but they have not been granted benefit of additional increment of higher responsibility under Rule 4.4 (a) (i) of Punjab Civil Services Rules, Vol. I, Part-I. The said writ petition came for hearing before Hon'ble Court on 16.10.2014 and Hon'ble Court pleased to disposed of the said writ petition with a direction office to take a final decision on the legal notice dated 6.2.2014. The operative part of the judgment is reproduced as under:-

“After hearing learned counsel for the petitioners, however, without opining on the merits of controversy, respondent No. 2 is directed to take a final decision on the legal notice dated 6.2.2014 got served the petitioners. The needful shall be done within a period of four months from the date of receipt of copy of this order. The petition stands disposed of.”

In pursuance of judgment/order dated 16.10.2014, the contents of legal notice dated 06.02.2014 has been considered. The petitioners have admitted that they joined as JBT Teachers (Pay scale 4500-7000) and served on this post for 10/20 years as such. They have already been granted 1st and 2nd ACP pay scale of Rs. 5500-9000 as JBT. It is worthwhile to mention that the Pay Scale of Rs. 5500-9000 is pay scale of Master Cadre/ Language Teacher under C&V Cadre. Therefore, before proceeding further, the objectives of ACP pay Scales have to be considered. The ACP scheme through these rules provides for the following:

- (i) every employee recruited in a particular grade/scale of pay shall be allowed to move to his respective and specific higher scale on completion of specified period of residency in the lower pay scale(s), with reference, to the pay scale or post in a pay scale, to which he was recruited as a direct recruited fresh entrant;
- (ii) on placement in next higher grade, the incumbent shall continue to perform duties of his original posts and will continue to hold the old

- 2 -

designation till such time as he is actually promoted to the higher grade on the occurrence of a vacancy;

- (iii) placement in higher grade will entail only the financial benefits.
- (iv) the number of financial upgradations to be given shall be counted from the grade where an employee was inducted on direct recruitment basis. The number of financial upgradations shall be strictly adhered to and there shall be no additional financial upgradation for a senior employee on the ground that a junior employee in the grade got higher scale under this scheme, if both the senior and junior are not subject to identical circumstances.

The doctrine of more pay as one grows older however, is basically different than the doctrine of more pay for higher responsibility. The present scheme provides for following distinguishing features:-

- (i) the classification is based on the differentiation distinguishing the direct recruits in a lower scale and the direct recruits in a higher scale. Further it differentiates Government servants based on the length of service. For example a suitably eligible employee in a lower grade may be granted the higher pay scales after completing 10 and 20 years of service while he still continues functionally holding the same post on which he was recruited. He may, therefore, actually be placed in a higher pay scale after completion of 20 years of service in the lower post than the pay scale prescribed for the next promotional post in the hierarchy. But he constitutes a different class and category of employees than the class or categories of employees recruited directly against such higher post, which is the next promotional post for the post on which an employee has been granted the benefit of ACP scales under these rules, based on a different principle.
- (ii) the objective sought is to compensate financially an employee who is stagnating without any promotion in a lower post in cases for example for 10 and 20 years. There is no functional requirement for creating posts in the higher hierarchy for all such employees. Therefore, they are being allowed a higher scale in compensation. The classification explained in (i) above meets this objective and, therefore, is having a

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rational relation to the object sought to be achieved by these rules.

It is matter of fact that similar CWP i.e. No. 17301 of 2001 titled as Swaran Singh versus State of Haryana & others, claiming benefits of additional increment on promotion is allowed by the Hon'ble Court and SLP filed by the State before Hon'ble Supreme Court of India has already dismissed but it is worthwhile to submit that in Kunhayammed & Ors. v. State of Kerala & Anr. AIR 2000 SC 2587, this Court reconsidered the issue and some of the above referred judgments and came to the conclusion that dismissal of special leave petition in limine by a non-speaking order may not be a bar for further reconsideration of the case for the reason that this Court might not have been inclined to exercise its discretion under Article 136 of the Constitution. The declaration of law will be governed by Article 141 where the matter has been decided on merit by a speaking judgment as in that case doctrine of merger would come into play.

Further stated that the basic question involved is whether the respondents herein are entitled to the benefit of Rule 4.4 of the Punjab Civil Services Rules, Volume-1, Part-1 has decided by Hon'ble Supreme Court of India in Civil Appeal No. 6992 of 2004 titled as State of Harvana & others versus Partap Singh & others, decided on 22.09.2006.

In this case, the respondents were in the pay scale of JBT teachers and similar claim was made. This was negated by this Court. Apart from this, there is another direct decision on the similar issue, in the case of Union of India & Ors. v. Ashoke Kumar Banerjee, reported in [1998] 5 SCC 242, wherein Fundamental Rules 22(1)(a)(1) came up for consideration before this Court. In this case, the respondent was a Junior Engineer in the pay scale of Rs. 1640-2900/- and he was granted the pay scale of Assistant Engineer in the pay scale of Rs. 2000-3500/-. The respondent received the same benefit in advance while working as Junior Engineer on completion of 15 years service and not actually functioning as Assistant Engineer. The respondent was held not entitled to further increment & fixation on promotion to the post of Assistant Engineer in the pay scale of Rs. 2000-3500/-. In that context, their Lordships held as follows:

"The respondent having received the same benefit in advance, while working as Junior Engineer and while not actually functioning as an Assistant Engineer, is not entitled to the same benefit of fresh fitment in the scale of Rs.2000-3500 when he is promoted as Assistant Engineer. This is because on actual promotion as Assistant Engineer, he is not being fitted into the "time scale of the higher post" as stated in FR 22 (I) (a) (1).

That situation was already over when he got benefit on completion of 15

years. Further, the respondent is a junior officer in the category of Junior Engineers and he has already got the benefit of the FR on completion of 15 years. If he is to be given a second benefit on the basis of the same FR, then he would be getting more than his seniors, who might have got promoted earlier and might have got benefit of FR 22(1) (a)(1) only once. Such an anomaly is not intended by FR 22(1) (a) (1)."

Here in the present case, the difference is that the respondents are getting the higher pay scale i.e. Master pay scale, on acquiring higher educational qualification though in fact they were not promoted to the post of Masters. In the case of Ashoke Kumar Banerjee (supra) functional pay of Assistant Engineer in the pay scale of Rs. 2000-3500/- was granted to incumbent on completion of 15 years of service. In identical situation, the Court declined to grant re-fixation of pay as per FR 22(1) (a)(1) and same is the position in the present case when the respondents were already getting the; functional pay of Masters while working as JBT teachers, now they have been promoted in the pay scale of Masters. Therefore, they cannot get another fixation of pay which would amount to double benefit to the persons who are already working as Masters. Judicial fiat cannot create anomalous position against the statute. Hence, we allow all these appeals and set aside the impugned judgments of the Punjab & Haryana High Court. However, whatever benefits, if any, received by the respondents would not be recovered and they will not be entitled to fixation under Rule 4.4 of the Rules."


It is, further, stated that the matter has already been considered by the Finance Department Haryana, Chandigarh. The Finance Department Haryana vide its Order No. 2/102/2009-2PR (FD), Dated 09.04.2010 has instructed as under:

"As per existing provisions, contained in note below Rule 18 of HCS (ACP) Rules, 2008, if the grade pay of promotional post and ACP pay structure in which the Government servant is drawing his pay prior to promotion are identical, his pay will not again be fixed in the functional pay structure of the promotional post which is identical to the ACP Pay structure in which he was drawing his pay before promotion. He will continue to draw his salary at the same stage and his date of increment will also continue to be same as before promotion."

After considering all the contents of Legal Notice dated 06.02.2014 and various judgments of Hon'ble Supreme Court of India with order dated 09.04.2010 issued by Finance Department Haryana, the undersigned is of considerate view that the claim of additional increment of additional increment of higher responsibility on getting promotion in the hierarchy after enjoying the benefits of 1st & 2nd Pay scale is not feasible under the rules. In the present case when the petitioners were already getting the functional pay of Masters while working as JBT teachers, now they have been promoted in the pay scale of Masters. Therefore, they cannot get another

fixation of pay which would amount to double benefit to the persons who are already working as Masters, therefore, there is no merit in the claim of the petitioners and the same is liable to be rejected.

I pass the order accordingly.


Subhash Chandra
Director General Elementary Education
Haryana Panchkula.

Regd.


1. Sh. Rattan Singh, JBT now S.S. Master, S/o Sh. Rawat Singh, GMS Kasni Kalan, Block Bahal, District **Bhiwani**.
2. Smt. Ram Kali, JBT now Punjabi Teacher W/o Rajender Kumar, GMS Rattan Grh, Block Rattia, District **Fatehabad**.
3. Smt. Paramjit Kaur, JBT now S.S. Mistress W/o Sukhpal Singh, GHS Paniwala Ruldu, District **Sirsa**.
4. Sh. Rakesh Kumar, JBT now S.S. Master, S/o Ram Kumar, GSSS Farmana, District **Sonipat**.
5. Sh. Hawa Singh, JBT now S.S. Master, S/o Sh. Sher Singh, GSSS Bidhal District **Sonipat**.
6. Sh. Satish Kumar, JBT now S.S. Master, S/o Chander Bhan, GSSS Farmana, District **Sonipat**.
7. Sh. Dalvir Singh, JBT now S.S. Master, S/o Sh. Sohan Lal, GMS Kalotha, Block Rattia, District **Fatehabad**.
8. Sh. Vinod Kumar, JBT now S.S. Master S/o Umed Singh, GSSS Ratta Khera, Block Rattia, District **Fatehabad**.
9. Smt. Kusum Lata, JBT now Hindi Teacher D/o Mam Raj, GGSSS Sector-15, District **Panchkula**.
10. Sh. Rattan Singh, JBT now S.S. Master S/o Santa Singh, GHS Jhorar Rohi Block Baragudha, District **Sirsa**.
11. Smt. Shashi Bala, JBT now Hindi Teacher W/o Tirloki Nath, GMS Dohar, Block Siwan, District **Kaithal**.
12. Sh. Ravinder Kumar, JBT now, S.S. Master S/o Harish Chander, GSSS Salahwas, District **Jhajjar**.
13. Sh. Mahavir Singh, JBT now S.S. Master S/o Tara Chand, GMS Nayagaon, Block Barwala, District **Hisar**.
14. Smt. Indu Bhardwaj, JBT, now S.S. Mistress W/o Sunil Bharadwaj, GHS Baroli **Faridabad**.

Endst. No Even:

Dated, Panchkula, the 22/1/15

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

1. The District Elementary Education Officers, Concerned.
2. Head of Institution, Concerned.
3. T.O. / I.T. Cell.


Superintendent HRM-II
for Director General Elementary Education
Haryana, Panchkula.



GOVERNMENT OF HARYANA / हरियाणा सरकार

Directorate Elementary Education

मौलिक शिक्षा निदेशालय

Directorate Elementary Education / मौलिक शिक्षा निदेशालय

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Education, Culture and Development



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Lead me from Darkness to Light

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

ORDER NO. 7/7-2015-HRM-II(1)

DATED, PANCHKULA: 18/01/2015

The following Elementary School Head Master is hereby transferred/adjusted with immediate effect.

Sr. No	TransferId	Name , Designation	Present Place of Posting	Transfer/Adjusted to	Remarks
1	70418	Sh. Mohinder Singh Elementary School Head Master Employee ID: 042782	GMS Tharva, (Fatehabad) [4693]	GSSS Tohana, (Fatehabad) [3288]	Against vacancy by giving relaxation in policy.

Note :-

- The official will be relieved immediately and in any case with in 3 days failing which 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.
- No male teacher below the age of 50 years be allowed to join in the girls schools.
- 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.
- In case of mutual transfer, it is directed that before relieving/joining the officials concerned, it may be ensured that the distance between both the schools is not less than 8 km.
- In case of urban area stations while implementing the transfer orders, it may be ensured that the transferee has completed the rural service as per transfer policy.
- The mutual transfer would be effective only when both the employees seeking mutual transfer submit a consent document to their respective Principals.

SUBHASH CHANDRA
DIRECTOR GENERAL ELEMENTARY EDUCATION
HARYANA, PANCHKULA

ENDST. NO. 7/7-2015-HRM-II(1)

DATED PANCHKULA, 20/1/15

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- Head of the institution, Concerned. It is hereby directed to check consent of both the employees those are transferred mutually, before their relieving / joining.
- Official Concerned.
- Secy. OSD/CM
- Sr. PS/E.M.
- Sr. PS/PSSE
- PS/DSE
- Technology officer (HQ)

SUPERINTENDENT HRM-II
for DIRECTOR GENERAL ELEMENTARY EDUCATION
HARYANA, PANCHKULA