

No. Fin (PR) B (7)-29/98
Government of Himachal Pradesh
Finance (Pay Revision) Department

Dated Shimla-171002, the 30th September, 2010

ORDER

1. Whereas the pay scale of ₹ 1800-3200 has been allowed to certain Petitioners/Auditors of the Panchayati Department, in compliance to the order dated 8-9-2009 passed by the Hon'ble High Court of Himachal Pradesh in CWP (T) No. 4063/2008 titled Shri Sanjeev Kumar Mahajan Vs State of H.P


2. Whereas due to implementation of the order dated 8-9-2009 of the Hon'ble High Court, the Department of Panchayati Raj has brought to the notice of this Department that an anomalous situation has arisen since the pay scale of the junior employees, who were Petitioners in the said CWP (T), has become higher than those of their seniors, who were not party in the above said Civil Writ Petition.

3. Whereas the position brought to the notice of the Government has been duly considered. In view of the fact that the non-petitioner Auditors and petitioner Auditors are performing the same duties and responsibilities, therefore, with a view to maintain parity in pay scales as well as to remove the pay anomaly, it has been decided to grant the pay scale of ₹ 1800-3200 to the non-petitioner Auditors of the Panchayati Raj Department from the date as allowed to the Petitioners in CWP (T) No. 4063/2008. However in view of the principle laid down by the Hon'ble Supreme Court of India in the matter of Shri Jai Dev Gupta Versus State of Himachal Pradesh (AIR 1998 SC. 2819) the aforesaid pay scale shall be allowed only on a notional basis from the due date to the




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non petitioner Auditors. They may be given notional benefit of annual increments thereafter and pay be fixed accordingly. The actual monetary benefit will be payable from the date three years prior to the date of issue of these orders. The pay of the concerned officials may be fixed accordingly to remove the pay anomaly.


Pr. Secretary (Finance) to the
Government of Himachal Pradesh.

Endst. No. Fin(PR)B(7)-29/98 Dated Shimla-2, the 30th Sept. 2010
Copy forwarded for information and necessary action to:

1. The Pr. Accountant General, Himachal Pradesh, Shimla-171003
2. The Sr Deputy Accountant General (A&E), Himachal Pradesh, Shimla-3
3. The Secretary Panchayati Raj Department, to the Government of Himachal Pradesh, Shimla.
4. The Director, Panchayati Raj Department, Himachal Pradesh, Shimla-171009.
5. All District Treasury Officers/ Treasury Officers in H.P.
6. Guard File.


Deputy Secretary (Finance) to the
Government of Himachal Pradesh.