

From

Director General Higher Education, Haryana, Panchkula

To

The Principal,
All Govt. Colleges (in the state of Haryana)

Memo No. 6/17-2017 NPE (1)

Dated Panchkula, the 09-08-2018

Subject:- Instructions regarding re-engaging of Computer Instructors and Computer Lab Attendants.

In continuation of this letter No. 6/17-2017 NPE (1) dated 30.04.2018 on the subject cited above.

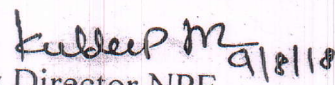
A copy of order of Hon'ble High Court in COCP No. 3032 of 2016- Anurag Chahal with anrs is forwarded to you with direction that to strictly comply, to re-engage the existing Computer Instructors and Computer Lab Attendants of your College. You have to pay the arrear of salary for the vacation period to the Computer Instructors and Computer Lab Attendants as per the directions of Hon'ble Court. These instructions are applicable only for Computer Instructors and Computer Lab Attendants.

Kindly send the compliance report for the same in the given proforma upto 17.08.2018 by 10.00 p.m as under:-

Sr. No.	Employee Name/Designation	Period (Salary given for vacation period)	Period (Salary not paid for vacation period)

Non-compliance of the orders would be viewed strictly.

Endst:- (As above)


Deputy Director NPE
for Director General Higher Education, Haryana,
Panchkula

COCP-3032-2016

**ANURAG CHAHAL AND ORS. V/S MAHAVIR SINGH AND ANR.
WITH COCP-3335-2017 RAKESH AND ORS. V/S JYOTI ARORA
AND ORS.**

**WITH COCP-1839-2017 SUSHMA & ANR V/S MAHAVIR SINGH &
ORS**

**WITH COCP-363-2017 RAJANI AND ORS. V/S MEHAR SINGH
AND ORS.**

**WITH COCP-2119-2017 (O&M) RAJU SHARMA AND ORS. V/S
MAHAVIR SINGH AND ORS.**

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Present: Mr. R.K.Malik, Sr. Advocate,
with Mr. Sandeep K. Rana, Advocate,
for the petitioners in COCP No. 3032 of 2016.

Mr. S.P.Chahar, Advocate,
for the petitioners in COCP Nos. 363, 1839, 3335 of 2017.

Mr. Anil Rathee, Advocate,
for the petitioners in COCP No. 2119 of 2017.

Mr. Ravi Pratap Singh, AAG, Haryana,
for the State.

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I have heard the counsel for the parties and with their assistance, have gone through the order passed by this Court on 05.05.2016 (Annexure P-1) in COCP No. 3032 of 2016, wherein three questions were posed and categorical answers to the same have been given.

The affidavits, which have been filed in Court in all these cases, do not fulfil the requirement nor are they in compliance with the order passed by this Court, referred to above. Despite various opportunities having been granted to the respondents to comply with the order, there has been an effort on the part of the respondents to avoid compliance of the order passed by this Court.

Prior to proceeding further and coming to a conclusion that there is an intentional effort on the part of the respondents to not comply with the order passed by this Court, an opportunity is given to the Director General,

Higher Education, Haryana and Principal Secretary , Department of Higher Education, Haryana, to comply with the order passed by this Court in toto without any exception.

Let the needful be done within a period of four weeks i.e. granting of minimum of the pay scales to the post on which the petitioners are working, grant of arrears as per the order passed by this Court i.e. three years prior to the date of filing of the writ petitions and release of the pay of the period during the vacations, if already not released.

It goes without saying that the amount due to the petitioners be released by adjusting the amount, which has already been paid to the petitioners. In case, the needful is not done within the time specified herein above, let the two officers be present in Court to face further proceedings under the Contempt of Courts Act.

List on 11.09.2018.

Photocopy of this order be placed on the files of connected cases.

07th August, 2018
pj

(AUGUSTINE GEORGE MASHI)
JUDGE

From Director General Higher Education, Haryana, Panchkula

To The Principal,
All Govt. Colleges (in the state of Haryana)

Memo No. 6/17-2017 NPE (1)
Dated Panchkula, the 30-04-2018

Subject:- Instructions regarding re-engaging of Computer Instructors and Computer Lab Attendants.

In reference to subject cited above.

I have been directed to convey that the Hon'ble Punjab and Haryana High Court passed the following orders on 05.05.2016 CWP No. 16954 of 2015 titled as Anurag Chahal V/s State of Haryana:-

"....Applying the ratio of the above mentioned judgments, the writ petition is allowed and petitioners are allowed to continue to work on their post till the regular selections are made and they are entitled to get the salary of the vacation period and minimum pay scales as admissible to the regular employees.

However, it is made clear that the contractual employees shall work to the satisfaction of the respondents and in case posts are abolished or their work and conduct is not found satisfactory, their services can be dispensed with by the respondents....".

As per the orders of Hon'ble High Court, you are directed to re-engage the existing Computer Instructors and Computer Lab Attendants of your College w.e.f. 01.05.2018. The contract agreement will be applicable from 01.05.2018 to 30.04.2019 and also you have to pay the salary for the vacation period to the Computer Instructors and Computer Lab Attendants as per the directions of Hon'ble Court in CWP No. 16954 of 2015 subject to the final outcome of I.P.A No. 306 of 2017 which is fixed for 13.08.2018.

These instructions are applicable only for Computer Instructors and Computer Lab Attendants.

Kuldeep Singh 30/4/18
Deputy Director NPI
for Director General Higher Education, Haryana,
Panchkula