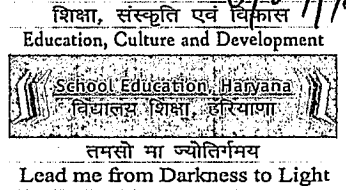




GOVERNMENT OF HARYANA/हरियाणासरकार

Directorate School Education

विद्यालय शिक्षानिदेशालय



Off.: Shiksha Sadan, Sector 5, Panchkula, Haryana 134109 (India) - Tel: 91(0172)-2560246 Fax: 91(0172)-2560253

कार्यालय: शिक्षासदन, सैक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253

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ORDER

No. 7/61-2004 AS (2)

Dated Panchkula, the 06.09.2017

To

1. All the DEO's/DEEO's in the State of Haryana.
2. All the Managements of the Privately Managed Government Aided Schools of the Haryana State.

Subject:- To re-fix the pay of the teaching and non-teaching employees of the Aided Schools who are drawing Salary, Pension/Family Pension in the ACP Pay Scales.

In supersession of this office Memo No. 7/61-2004 S-1(2) dated 05.09.2016 on the subject cited above.

That the benefit of ACP w.e.f. 01.01.1996 and 01.01.2006 to the teaching and non-teaching employees of the aided schools of their respective schools was granted in compliance of the order dated 02.02.2011 passed by the Hon'ble Punjab and Haryana High Court, Chandigarh in CWP No. 11686 of 2004 titled as Haryana State Adhyapak Sangh (Govt. Aided Private Schools) Vs State of Haryana & others subject to the final outcome of review petition filed in the Hon'ble Supreme Court of India by the Higher Education Department Haryana, because the aforesaid writ petition was allowed in terms of order dated 10.11.2010 passed by the Hon'ble Punjab and Haryana High Court Chandigarh in CWP No. 6220 of 2009.

The Review Petition filed by the Higher Education Department Haryana was allowed and SLP filed by the State Government was also reviewed and Hon'ble Supreme Court has set aside the orders of Hon'ble High Court regarding grant of ACP.

You are therefore directed that the pay of all the teaching and non-teaching employee of the aided schools who have been granted the benefit of ACP under the above orders may be refixed with immediate effect in accordance with the advice of the Finance Department conveyed vide their U.O No. 78/38/11-3FD II/26307 dated 22.08.2016 and in compliance of the the order dated 14.07.2016 of Hon'ble Supreme Court of India passed in Civil Appeal No. 212 of 2016 Govt. Aided Private Schools Managements and other V/s Haryana State Adhyapak Sangh and others. Further, they are directed that their pay in case of employees still in service, for the month of September, 2017 to be paid in October 2018 may be released after refixing their pay without ACP. In case of retirees while getting pay in ACP scale, first their pay may also be refixed in accordance with these orders and thereafter their pension/family pension may also be refixed with immediate effect accordingly. However, any action for recovery etc shall be taken in accordance with the decision of the Hon'ble Punjab & Haryana High Court, Chandigarh as per orders dated 14.07.2016 of Hon'ble Supreme Court of India mentioned at serial No. 8 of these orders passed in Civil Appeal No. 212 of 2016 Govt. Aided Private Schools Managements and other V/s Haryana State Adhyapak Sangh and others.

RAJIV RATTAN
DIRECTOR, SECONDARY EDUCATION
HARYANA, PANCHKULA





GOVERNMENT OF HARYANA/हरियाणासरकार

Directorate School Education विद्यालय शिक्षानिदेशालय

Directorate of School Education / विद्यालय शिक्षानिदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and Development
School Education, Haryana
विद्यालय शिक्षा, हरियाणा
तमसो मा ज्योतिर्गमय
Lead me from Darkness to Light

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TO BE SUBSTITUTED BEARING SAME NUMBER AND DATE

ORDER

No. 7/61-2004 AS (2)

Dated Panchkula, the 07.09.2017

To

1. All the DEO's/DEEO's in the State of Haryana.
2. All the Managements of the Privately Managed Government Aided Schools of the Haryana State.

Subject:- To re-fix the pay of the teaching and non-teaching employees of the Aided Schools who are drawing Salary, Pension/Family Pension in the ACP Pay Scales.

In supersession of this office Memo No. 7/61-2004 S-1(2) dated 05.09.2016 on the subject cited above.

That the benefit of ACP w.e.f. 01.01.1996 and 01.01.2006 to the teaching and non-teaching employees of the aided schools of their respective schools was granted in compliance of the order dated 02.02.2011 passed by the Hon'ble Punjab and Haryana High Court, Chandigarh in CWP No. 11686 of 2004 titled as Haryana State Adhyapak Sangh (Govt. Aided Private Schools) Vs State of Haryana & others subject to the final outcome of review petition filed in the Hon'ble Supreme Court of India by the Higher Education Department Haryana, because the aforesaid writ petition was allowed in terms of order dated 10.11.2010 passed by the Hon'ble Punjab and Haryana High Court Chandigarh in CWP No. 6220 of 2009.

The Review Petition filed by the Higher Education Department Haryana was allowed and SLP filed by the State Government was also reviewed and Hon'ble Supreme Court has set aside the orders of Hon'ble High Court regarding grant of ACP.

You are therefore directed that the pay of all the teaching and non-teaching employee of the aided schools who have been granted the benefit of ACP under the above orders may be refixed with immediate effect in accordance with the advice of the Finance Department conveyed vide their U.O No. 78/38/11-3FD II/26307 dated 22.08.2016 and in compliance of the the order dated 14.07.2016 of Hon'ble Supreme Court of India passed in Civil Appeal No. 212 of 2016 Govt. Aided Private Schools Managements and other V/s Haryana State Adhyapak Sangh and others. Further, they are directed that their pay in case of employees still in service, for the month of September, 2017 to be paid in October 2017 may be released after refixing their pay without ACP. In case of retirees while getting pay in ACP scale, first their pay may also be refixed in accordance with these orders and thereafter their pension/family pension may also be refixed with immediate effect accordingly. However, any action for recovery etc shall be taken in accordance with the decision of the Hon'ble Punjab & Haryana High Court, Chandigarh as per orders dated 14.07.2016 of Hon'ble Supreme Court of India mentioned at serial No. 8 of these orders passed in Civil Appeal No. 212 of 2016 Govt. Aided Private Schools Managements and other V/s Haryana State Adhyapak Sangh and others.

RAJIV RATTAN

DIRECTOR, SECONDARY EDUCATION
HARYANA, PANCHKULA



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