

**CH.SARWAN KUMAR HIMACHAL PRADESH KRISHI VISHVAVIDYALAYA**  
**\*ESTABLISHMENT SECTION-II\***

No.QSD.8-1390/08-CSKHPKV(Estt)/- 70491-521

Dated, Palampur the:- 19 8 00 2022

**ORDER**

**Whereas**, as per provisions contained in the R&P Rules notified vide Notification No. 2-8/95-CSK HPKV(GA)Vol.IV/-94547-662 dated 22.11.2001, Notification No. 2-8/04-CSK HPKV(GA)Vol.VI/-35165-279 dated 14.6.2013 read with Notification No. 2-8/04-CSK HPKV(GA)Vol.VI/-4773-4842 dated 22.1.2015 and Addendum No. QSD. 2-8/04-CSK HPKV(GA)Vol.VI/-64373-471 dated 12.12.2016 and on the recommendations of the Departmental Promotion Committee, the Laboratory Assistants/ Laboratory Attendants who have rendered 5 years service in the cadre of Lab. Assistants/ Lab. Attendants were placed in the scale of Rs. 1200-2130 revised to Rs. 4020-6200 w.e.f. 1.1.1996 and Rs. 5910-20200 +GP of Rs. 2400/- w.e.f. 1.1.2006 vide office order No. QSD. 8-1390/08-CSK HPKV(Estt.)/-9533-98 dated 27.02.2017.

**AND WHEREAS** the Laboratory Staff Welfare Association, CSK HPKV, Palampur filed OA No. 6358/2018 before the erstwhile Hon'ble HPAT which was further transferred to Hon'ble HP High Court, Shimla as CWPOA No. 106/2019 against the above office order dated 27.02.2017 with the prayer that the said benefits may be granted to them on completion of 5 years in the cadre.

**AND WHEREAS**, the Hon'ble HP High Court passed following orders on 29.09.2021 on the CWPOA No.106/2019:-

"In view of the detailed discussion made herein above instant writ petition is allowed. Impugned order dated 27.02.2017 is quashed and set aside inasmuch it granted revised pay scales to the Laboratory stream employees on notional basis from 1.1.1996 to 31.3.1998. Respondent-University is directed to grant actual benefits to the concerned members of the petitioner Association. Members of petitioner Association are also held entitled to revised pay scale of Rs. 4020-6200/- after completion of five years and revised pay scale of Rs. 5910-20200 +2800/- Grade pay with effect from 1.1.2006.

**AND WHEREAS**, the University filed LPA in the Hon'ble HP High Court, Shimla and the Hon'ble HP High Court dismissed the same vide order dated 18.4.2022 passing following orders:-

" In view of the above background, learned Single Judge, rightly came to the conclusion that since the appellant-University had been regularly adopting pay scales of Himachal Pradesh University and as per the amended statute, it was bound to grant the pay scales as prevalent in Himachal Pradesh University, Shimla to its employees in the Laboratory stream.

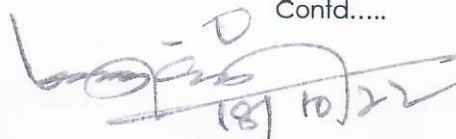
Learned single judge has, thus, rightly allowed the writ petition filed by the respondent. Hence, no ground for interference is made out and the letters patent appeal is dismissed.

Pending application(s), if any, also stand disposed of.

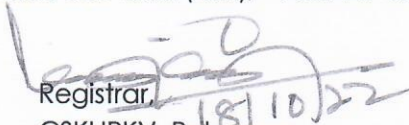
**AND WHEREAS**, the matter was taken up with the Secretary (Agr.) to the Govt. of Himachal Pradesh who conveyed the observation of the law department who advised that "the AD will achieve no fruitful purpose by agitating the case further and advised to contemplate to implement the decision of the Hon'ble HP High Court".

**AND WHEREAS**, the matter was placed before the Finance Committee regarding adoption of the H.P. University pay scale pattern in respect of Lab stream of CSK HPKV w.e.f. 1.11.2012 vide item No. 129(13) of its meeting held on 06.10.2022, the Finance Committee recommended the proposal to Board of Management for approval with the observation that the R&P rules shall also be considered according to the pay scales while implementing the decision of Hon'ble Court and further desired that in future, the R&P rules shall also be kept in mind while recruitment is made in the University. The above recommendations of the Finance Committee were approved by the Board of management vide item No. 3.6 of its 126<sup>th</sup> meeting held on 6.10.2022.

Contd.....

  
18/10/22

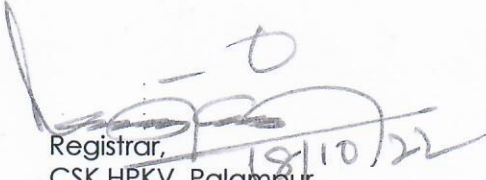
**NOW THEREFORE**, in pursuance of the decision of the Hon'ble HP High Court , Shimla in CWPOA No. 106/2019 and on the recommendation of the Finance Committee which were approved by the Board of Management, the office order No. QSD. 8-1390/08-CSK HPKV(Estt.)/- 9533-98 dated 27.02.2017 is hereby withdrawn *ab initio*.

  
Registrar,  
CSKHPKV, Palampur.

Endst. No. Even  
Copy to:-

Dated: Even

1. The Dean, COA/COVAS/COHS/COBS, CSK HPKV, Palampur.
2. The Director of Research, CSK HPKV, Palampur.
3. The Comptroller, CSKHPKV, Palampur.
4. The Head, Deptt. of Microbiology (COBS)/Chemistry & Biochemistry(COBS)/Vety. Microbiology/ Vety. Public Health & Epidemiology/ Fisheries/ Ani. Genetics & Breeding/ Vety. Medicine/ Seed Science & Technology/Plant Pathology/Livestock Products Technology/ Vety. Pathology/ Tea Husbandry & Technology/ Soil Science/ Vety/ Parasitology/Veg. Science & Floriculture/ Vety. Physiology & Biochemistry/ Entomology and Vety. & Ani. Hus. Extn. Education, Dr. G.C. Negi COVAS, CSK HPKV, Palampur.
5. The Associate Director, HAREC, Bajaura/Kukumseri
6. The Scientist Incharge, RWRC, Malan/Akrot/Sundernagar.
7. The Jt. Controller, Local Audit, CSKHPKV, Palampur.
8. The Jt. Director(I&PR), CSK HPKV, Palampur.
9. The PS to Vice- Chancellor/ Sr. PS to Registrar, CSK HPKV, Palampur.
10. The Assistant Registrar(Internal Audit), CSK HPKV, Palampur.
11. The Incharge, Pay Cell, CSKHPKV, Palampur.
12. The Member Senate, Employees Constituency, CSK HPKV, palampur.
13. The President, NTEU, CSK HPKV, Palampur.
14. Individual concerned.
15. Personal File/Guard file.


  
Registrar,  
CSK HPKV, Palampur.

Endst No. Even:

Dated: Palampur the:-

Copy to

1. The Incharge, UNS, CSK HPKV, Palampur with the request to upload the same in the University website portal of the Registrar-Estt. .

  
Deputy Registrar(Estt.),  
CSK HPKV, Palampur.