

DAKSHIN HARYANA BIJLI VITRAN NIGAM

Office Order No. 444/FA(HQ)/F&B-505/Vol-I

Dated: 17/4/18

Dakshin Haryana Bijli Vitran Nigam, Hisar is pleased to adopt the Govt. of Haryana, Finance Department letter No. 1/83/2008-2PR(FD) dated 21.11.2017 (**Annexure-A**) regarding setting right the anomaly between pre 1.1.2006 and post 1.1.2006 direct recruits & letter No. 6/67/2014-2PR(FD) dated 21.11.2017 (**Annexure-B**) regarding fixation of pay on promotion under rule 13 of HCS (RP) Rules, 2008.

This may please be brought into the notice of all concerned.

DA: As Above.

Juslib
Financial Advisor (HQ),
DHBVN, Hisar

Endst. No. Ch-39 /FA(HQ)/F&B-505/Vol-I

Dated: 17/4/18

A copy of above along with Annexure is forwarded to the following for information and necessary action:-

1. All CE's in DHBVN.
2. All SE's in DHBVN.
3. Chief Auditor/CAO/FA (MM)/FA (P&D), DHBVN, Hisar.
4. All XEN's in DHBVN.
5. All Sr. AOs/AOs in DHBVN
6. All AEE/AE's OP in DHBVN.
7. All SMO/MO in DHBVN.
8. Chief Communication Officer, DHBVN, Hisar.

Juslib
(Accounts Officer/F&B,
DHBVN, Hisar.

CC to:

1. Sr. P.S. to Chairman -cum- Managing Director, DHBVN, Hisar for the kind information of the Chairman -cum- Managing Director.
2. Sr. P.S. to Director, Projects /Operations for the kind information of Directors.
3. Company Secretary, DHBVN, Hisar.
4. P.A. to Chief Financial Officer, DHBVN, Hisar.
5. Secretary, BBMB, Sector-19, Madhya Marg, Chandigarh.

Government of Haryana
Finance Department

No. 1/83/2008-2PR (FD)

Dated 21st November, 2017

Orders

Subject:- Setting right the anomaly between 'pre-1.1.2006' and 'post-1.1.2006' direct recruits arising out of the application of Haryana Civil Services (Revised Pay) Rules, 2008.

After application of the Haryana Civil Services (Revised Pay) Rules, 2008 some categories of existing employees of 'pre-1.1.2006' complained that their pay has been fixed on lower side than that of their juniors who had joined the Government service on or after 1.1.2006. The issue was considered and to address the same, instructions bearing even No., dated 18.8.2009 were issued, whereby the entry pay of 'post-1.1.2006' direct recruits was reduced and prescribed to be re-fixed from the date of joining, and difference of pay was allowed as Personal Pay to be adjusted and subsumed in future Increments.

The dispensation as prescribed as above, however, attracted host of litigation as a number of CWPs were filed in the Hon'ble High Court by employees of 'pre-1.1.2006' demanding stepping up of pay, especially the element of Personal Pay at par with that of their junior counterparts who had joined the Govt. service on or after 1.1.2006. One of these CWPs No.11254 of 2010- Neelam Rani & Others Vs. State of Haryana was allowed by the Hon'ble Punjab & Haryana High Court vide its judgment dated 15-5-2013 and thereafter, a number of similar type of pending CWPs were also allowed in the same terms. However, the State Government challenged the aforesaid judgment in LPA in the Hon'ble High Court but the same was also dismissed. Thereafter, SLP No. 15520-21 of 2016- State of Haryana Vs. Neelam Rani filed in the Hon'ble Supreme Court, which was also dismissed on dated 17.10.2016. In the meantime, the CWPs repeatedly got decided in favour of employees and some led to COCPs that were conceded to.

Keeping in view the cumulative position as such, the entire issue was considered in detail and it has now been decided to implement the judgment dated 15-5-2013 in CWP No.11254 of 2010- Neelam Rani Vs. State of Haryana, in all similarly placed cases.

Accordingly it is, hereby, decided that the pay of all existing employees of 'pre-1.1.2006' who are covered under the aforesaid judgment pay of such Government employees (Seniors)

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21/11/2017

appointed before 1.1.2006, may be stepped up, in the shape of personal pay to be subsumed in future increments, at par with their juniors appointed after 1.1.2006 but before 18.8.2009.

It is also directed that this dispensation may be brought to the notice of all the Courts concerned where such issue is still pending for adjudication, so that those may be rendered in-fructuous.

P. Raghavendra Rao
Addl. Chief Secretary to Govt. Haryana
Finance Department

Endst No. 1/83/2008-2PR (FD) Dated 21st November, 2017

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

1. All Heads of the Departments
2. All Divisional Commissioners
3. All Deputy Commissioners
4. All Sub Divisional Officers (Civil)
5. The Registrar General Punjab & Haryana High Court.

U. Singh
Chief Accounts Officer (PR)
for Addl. Chief Secretary to Govt. Haryana
Finance Department
21/11/2017

Endst No. 1/83/2008-2PR (FD) Dated 21st November, 2017

A copy is forwarded to the Accountant General,
Haryana (A&E) and (Audit), Chandigarh for information.

U. Singh
Chief Accounts Officer (PR)
for Addl. Chief Secretary to Govt. Haryana
Finance Department
21/11/2017

A copy is forwarded to:-

- 1) All the Additional Chief Secretaries/Principal Secretaries to Government Haryana for information and necessary action.
- 2) The Director, Information & Public Relation and Languages.

U. Singh
Chief Accounts Officer (PR)
for Addl. Chief Secretary to Govt. Haryana
Finance Department
21/11/2017

U.O. No. 1/83/2008-2PR (FD) Dated 21st November, 2017

**Government of Haryana
Finance Department**

No. 6/67/2014-2PR (FD)

From

The Addl. Chief Secretary to Govt. Haryana
Finance Department.

To

1. All the Heads of Departments,
2. All Divisional Commissioners,
3. All Deputy Commissioners,
4. All Sub Divisional Officers (Civil),
5. The Registrar General Punjab & Haryana High Court.

Dated Chandigarh the, 21st November, 2017

Subject:- Fixation of pay on promotion under Rule 13 of HCS(RP) Rules, 2008, equal to entry pay as prescribed in FD's letter No. 1/83/2008-2PR(FD) dated 16.12.2010, for direct recruit.

Sir,

I am directed to invite your attention towards the subject noted above as well as the Haryana Civil Services (RP) Rules, 2008. According to Rule 13 and Rule 8 of HCS (RP) Rules, 2008, formula of fixation of pay of promoted employee and direct recruited employee was different. The promoted employees in some instances, requested repeatedly to remove the difference of lesser pay having been fixed on promotion than directly recruited employees. Thereafter, various proposals had been received from the Administrative Departments to remove this difference.

This issue was earlier considered in the Finance Department and in CWP No. 22797 of 2015-Ram Chander & Others V/s State of Haryana, the benefit of fixation of pay on promotion of the Assistants of Haryana Civil Secretariat has been allowed equal to the entry pay of the direct recruit employees, as prescribed in FD's letter No. 1/83/2008-2PR(FD) dated 16.12.2010. However, the matter in respect of the remaining employees has been under consideration since long in the Finance Department. The matter has now been considered at length and it has been decided to extend similar benefit to remaining employees also.

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Therefore, it is clarified that in cases where promotion involves change in the 'pay in the pay band', after adding the increment and such pay is less than the entry pay of the higher pay band, to which promotion is taking place, pay in the pay band will be stepped-up to such entry pay.

These instructions shall be effective from 1.1.2006. The pay of concerned employees be fixed strictly according to FD's instruction No. 1/83/2008-2PR(FD) dated 16.12.2010. The amendment in said rule shall be made alongwith other rules, in due course.

Worshi
21/11/17
Chief Accounts Officer (PR)
for Addl. Chief Secretary to Govt. Haryana
Finance Department

Endst No. 6/67/2014-2PR (FD) Dated 21st November, 2017

A copy is forwarded to the Accountant General, Haryana (A&E) and (Audit), Chandigarh for information.

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U.O. No. 6/67/2014-2PR (FD)

Dated 21st November, 2017

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