

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.15211 of 2013
Date of decision: 13.07.2018**

Dr. B.S. Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. K.L. Dhingra, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. Rajdeep Singh Cheema, Advocate,
for respondent No.3.

Ritu Bahri, J.

Petitioner is seeking quashing of the letter/order(s) dated 08.02.2012 & 11.02.2012 (Annexures P-8 & P-9 respectively), whereby his case of the petitioner for grant of advance increments on the basis of Ph.D. has been rejected.

Today, an affidavit of Mr. Vijay Singh Dahiya, I.A.S., Director General Higher Education, Haryana, Panchkula, has been filed in Court, wherein it has been stated that the department had sought clarification from UGC. Vide letter dated 02.02.2007, the UGC clarified that Lecturer (Selection Grade) as and when acquires Ph.D. degree, is eligible to receive two advance increments from 27.07.1998 or the date of award of Ph.D. degree, whichever is later. After approval from Finance Department, Haryana, the Department of Higher Education issued instructions dated

20.11.2007 that the State Govt. has decided to allow the benefit of two

advance increments from 27.07.1998 or the date of award of Ph.D. degree whichever is later, to the lecturers who acquire Ph.D. degree after being placed in Selection Grade till they are granted the time scale of Rs.14,940/-.

It has been further stated that the petitioner was already drawing pay of Rs.14,940/- in the scale of Rs.12000-420-18300 as on 01.01.1996 i.e. much before the cut off date i.e. 27.07.1998 as per instructions issued by the Department of Higher Education vide letter dated 20.11.2007. The petitioner was drawing the pay of Rs.14,940/- on 01.01.1996 and further Rs.15,780/- on 01.01.1998 after granting annual increment. The cut off date was 27.07.1998. Therefore, he was held not entitled for grant of two advance increments in lieu of Ph.D.

Learned State counsel has produced service record of the petitioner, as per which, he had been granted selection grade and was drawing salary of Rs.14,940/- in the scale of Rs.12000-420-18300 as on 01.01.1996.

In view of the above affidavit, no case for grant of advance increments is made out.

Dismissed.

13.07.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No