



CWP-2644-1998

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(204) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2644-1998

Date of Decision: 15.07.2024

MOHINDER SINGH

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Anurag Goyal, Advocate for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Mr. A.S. Virk, Advocate for respondent nos. 3 & 4.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to grant pay scale of ₹1200-2040 with effect from 01.05.1990, as granted to Book Binders working in the Government Department of Education.

2. It is contended by learned counsel for the petitioner that initially the petitioner was engaged as Book Binder on daily wages in the Regional Engineering College, Kurukshetra/third respondent. Thereupon, he was appointed on *ad hoc* basis vide letter dated 30.12.1992, Annexure P-1, in the pay scale of ₹750-940. While working as such, his services were regularised as Book Binder with effect from 31.03.1993 in the same pay scale vide office order dated 20.03.1996, Annexure P-7. The Board of Governors of the College in its meeting held on 20.02.1987, Annexure P-16, resolved to approve in principle the adoption of revised scales of pay for its non-teaching employees on the same terms and



conditions as laid down by the State Government for its employees from time to time. The Resolution was approved by the Government for implementation in the College with effect from 01.01.1986. Since Book Binders in the Government Department of Education were in the pay scale of ₹1200-2040, the petitioner claimed this higher pay scale in terms of the Board Resolution dated 20.02.1987.

3. Learned counsel for the respondent/College, on the contrary, contends that the claim is not admissible as the State of Haryana initially revised the pay scale of Book Binder to ₹775-1025 with effect from 01.01.1986, but due to certain anomalies and discrepancies having been noted in the revised pay scales, the Government modified certain scales of pay with effect from 01.05.1990, vide letter dated 23.08.1990. This included the pay scale of Book Binders in the Department of Archives also which was revised from ₹775-1025 to ₹950-1400. The Government further recommended higher pay scale of ₹1200-2040 for technical posts with effect from 01.05.1990, vide the same letter dated 23.08.1990. Since the post of Book Binder in the College, with the prescribed qualification of Matric with one year experience, is not a technical post, the scale is not admissible to the petitioner.

4. Heard.

5. It is not in dispute that the scales of pay admissible to the State Government employees were made applicable to non-teaching employees of the College as well, on the same terms and conditions as applicable to the Government employees. The prescribed pay scale for the post of Book Binder in the Government Department of Archives is ₹950-1400-, and the higher pay scale of ₹1200-2400 is meant only for technical posts. The letter



dated 23.08.1990, regarding revision of scales, while prescribing pay scale for the post of Book Binder states, “*recommended regarding technical posts in various departments for which minimum educational qualification prescribed as Matric with ITI/Polytechnic and were getting revised pay scale w.e.f. 1.1.1986 of Rs. either.750-940/- or Rs.750-1025/- or Rs. 800-1150/- or Rs. 950-1400/- or Rs. 950-1500/- by clubbing together and modifying the scale of ay of Rs. 1200-2040 w.e.f. 1-5-1990*”. Accordingly, the higher scale of pay has been prescribed only for the technical posts with requisite qualification of Matric with ITI, whereas the post of Book Binder against which the petitioner has been appointed, is not a technical post since prescribed qualification for the post is Matric with one year experience. Merely because the petitioner possesses technical qualification of ITI also, it will not entitle him to the higher scale of pay meant for technical posts. He undisputedly has been appointed against a non-technical post carrying the pay-scale of ₹950-1400, which has been given to him as well.

6. In view thereof, there is no merit in the petition and the same stands dismissed.

(TRIBHUVAN DAHIYA)
(JUDGE)

15.07.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No