



CWP-21063-2025 (O&M)

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

Sr. No.112

CWP-21063-2025 (O&M)
Date of Decision: 08.08.2025

Jagmahender and others

.... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Tejpal Singh Dhull, Advocate
for the petitioners.

TRIBHUVAN DAHIYA, J. (ORAL)**CM-11360-2025**

Application is allowed and complete copy of order dated 28.04.2022,
Annexure P-21, is taken on record.

Registry is directed to place it appropriately on the case file.

CWP-21063-2025

The petition has been filed seeking quashing of the Haryana School Shiksha Pariyojna Parishad Employees Service Bye-laws, 2013 (for short, 'the Bye-laws, 2013') to the extent pay anomaly has been created therein *qua* the post of Data Entry Operator *vis-a-vis* that of Accounts Assistant, as the former has been placed in Pay Band (PB)-I and the latter in PB-II. Also, quashing of the order dated 27.04.2022, Annexure P-21, has been sought whereby the petitioners' claim for higher pay scale, equivalent to that of Accounts Assistant, has been rejected.

2. Learned counsel for the petitioners contends that the petitioners were



appointed as DEOs in the Parishad on contract basis on a consolidated salary of ₹5500 in the year 2004; appointment letter of one of the petitioners dated 06.02.2004, Annexure P-1, has been placed on record to establish the fact. Accounts Clerks were being paid lower consolidated pay of ₹5000. After revision of salaries vide order dated 07.03.2008, Annexure P-5, the salary of DEO was fixed as ₹7425 and that of Accounts Clerk as ₹6750. It is claimed that at that time, qualification for the post of DEO was Graduation with 55% marks or Post Graduation with one year Diploma in Computer Application from any reputed institute and three years' experience in a reputed organisation. And for Account Clerks it was, Graduation with II division in Commerce, with three years' experience in accounts in any reputed organisation. After some time, the salary was again revised vide office order dated 03.03.2010, Annexure P-6, to ₹11,150 for DEO and ₹10,130 for Accounts Clerk. Later, the nomenclature of Accounts Clerk was changed to that the Accounts Assistant vide office order dated 06.09.2010, Annexure P-7/A.

2.1. It is further contended that the Parishad framed the Bye-laws, 2013 for its employees which came in force from 01.04.2013. The hierarchy of posts of DEO and Accounts Assistant, being maintained so far, was broken and the former were placed in a lower pay scale of pay as compared to that of Accounts Assistant; DEOs were placed in PB-I (5200-20200+GP2000), whereas Accounts Assistants in PB-II (9300-34800+GP3200). This is despite the fact that qualifications for these posts are almost equal. The petitioners/DEOs could not have been placed in the lower pay scale as compare to that of the Accounts Assistants, as they had been in higher scales of pay throughout. This anomaly needs to be corrected by granting them higher/equivalent scales.



2.2. It was also contended that there was no delay in approaching this Court as the petitioners had earlier filed a petition, CWP-24849-2021, which was disposed of vide order dated 07.12.2021 with a direction to the respondents to decide their representation dated 15.12.2020, by passing a speaking order. The representation was decided vide impugned order dated 27.04.2022. The petitioners again approached this Court by filing another writ petition, CWP-12015-2022, which was withdrawn on 15.05.2025 with liberty to challenge the Bye-laws, 2013.

3. Heard.

4. It is apparent from the facts aforementioned that the petitioners/DEOs have been placed in PB-I after framing of the Bye-laws, 2013 by the Parishad, and the Accounts Assistant in a higher pay scale, i.e., PB-II. It is a matter of record that after the amendment in 2010 qualifications for these two posts are different as has been mentioned in the impugned order itself. The order reads as under:

In 30th meeting of Executive Committee held on 7.10.2010 the qualification for the post of Accounts clerk (re-designated as Accounts Assistant) and Assistant have been amended which is as under:

Accounts Assistant	Assistant	Data Entry Operator-cum-Clerk
1. Graduate with 55% marks in commerce with 2 years experience in accounts in an organisation of repute. 2. Good Knowledge of Accounts Software (Telly 9.0 ERP) 3. Matric with Hindi/ Sanskrit or 10+2/BA/MA with Hindi as one of the subject.	1. Graduate with at least 55% marks 2. 5 years experience as Clerk in an organisation of repute 3. Matric with Hindi/Sanskrit or 10+2/BA/MA with Hindi as one of the subject.	1. Graduate with 55% marks or Post Graduate 2. One year Diploma in Computer Application from an Institute of repute 3. Three years experience in any reputed institute.



The qualifications for the post of Accounts Assistant and Assistant have been enhanced but the qualifications for the post of Data Entry Operator cum clerk remained the same.

With a view to bring all the employees of Parishad at par with the Govt. Employees and to give them certain benefits, HSSPP Byelaws came into existence w.e.f. 1.4.2013. According to byelaws the employees of the Parishad were granted entry level pay and Grade pay as applicable to their posts on pattern of the State Government after completion of five year satisfactory service. The salary of the DEO-cum-Clerk was fixed at par with the post of clerk in the Govt. Department.

As per notification of Chief Secretary to Govt. of Haryana dated 7.11.2013 the nomenclature of the post of Clerk-cum-DEO, Office Associate, Data Entry Operator and Clerk-cum-Typist etc. was changed to a single and uniform nomenclature of 'Clerk' in all the Govt. Departments. Haryana Govt. Departments have fixed the Grade pay @ Rs. 1900/- for the post of clerk.

Further, the services of Group-C & D employees engaged on contract basis in Government Departments have been regularized in compliance of the Haryana Govt. notification no. 6/7/2014-J GSI dated 18.6.2014. The employees who were working on the post of Data Entry Operator were regularized in the pay band of Rs. 5200-20200+1900 G.P. plus usual allowances as sanctioned by the Haryana Government from time to time.

The Parishad has already granted the pay scale of Rs. 5200-20200 plus 2000 Grade pay for the post of Data Entry Operator as per Service Byelaws 2013. Thus, the petitioners are already drawing grade pay more than the employees of the State Government. Also the petitioners cannot claim the pay scale and Grade pay of the posts which are different from the post of petitioners and having different qualifications and experience.

In view of the above, the claim made by the petitioners in their representation dated 15.12.2020 cannot be accepted and is hereby rejected.



5. As apparent from the facts enumerated, the Parishad had decided to bring its employees at par with the Government employees and to give them certain benefits. Nomenclature of DEOs working in the State Government was changed to that of Clerk, and were placed in the pay scale of ₹5200-20200+GP 1900 plus usual allowances. Despite being equated, the petitioners have been placed in the higher scale, ₹5200-20200+GP 2000, as mentioned herein before. Their claim for equivalence with the posts of Accounts Assistant is based on the plea that prior to enforcement of the Bye-laws 2013, they had been getting higher pay. This cannot be a ground to sustain the claim as, undisputedly, after enforcement of the Bye-laws service conditions and pay scales of the employees are governed thereunder, and different qualifications and specialised experience has been prescribed for these two posts-DEO and Accounts Assistant. The duties assigned to these posts are also different as apparent from the nature of posts itself. Keeping in view these valid considerations, a conscious decision has been taken by the Parishad to place these posts in distinct pay scales; accordingly, no exception can be taken to it. Besides, the petitioners have been drawing salary in the prescribed pay scales right from enforcement of the Bye-laws on 01.04.2013. Resultantly, this Court finds no plausible reason to entertain the petition.

6. The petition is, accordingly, dismissed *in limine*.

(TRIBHUVAN DAHIYA)
JUDGE

08.08.2025
reena/Maninder

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