



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CWP-13924-1999 (O&M)

Date of decision: 16.07.2025

Manjeet Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. B.K. Bagri, Advocate for the petitioner(s).

Mr. Tapan Kumar, DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. Seeking setting aside of the order of reduction of his pay scale from Rs.1640-60-2600-EB-75-2900 to the pay scale of Rs.1400-2600 and a further direction to revise the pay scale of the petitioner in the pay scale of Rs.5500-9000 w.e.f. 01.01.1996 in the corresponding pay scale, the instant writ petition has been filed.

2. Counsel for the petitioner submits that the petitioner was appointed as a Clerk on 05.01.1977 and was later adjusted as Steno Typist in the same pay scale on the basis of his qualification. He was later promoted as Senior Scale Stenographer on 11.07.1988 and was granted higher standard pay scale w.e.f. 04.01.1997 of Rs. 1640-2900. He completed 20 years of service on 04.01.1997 and continued to get this pay scale till its revision in the year 1998. It is submitted that first promotion from the post of Clerk in the Cadre is to the post of Assistant for which the pay scale is



Rs.1400-2600 and the second promotion is from the post of Clerk to Head Clerk/Dy. Superintendent, which is in the pay scale of Rs.1640-2900 in the unrevised pay scale. Therefore, all such Clerks who were promoted as Assistants and had completed total 20 years of service as Clerks and Assistants had been granted the second standard pay scale of Rs.1640-2900. He contends that the persons who joined as Clerks before the petitioner are thus being given benefit of a higher pay which is being denied to him solely because he was promoted as Stenographer instead of an Assistant. He contends that the post of Stenographer and Clerk were in the same unrevised pay scales and that the petitioner deserved to be granted the benefit of pay scale at par with Dy. Superintendent/Head Clerk.

3. Learned State counsel however makes a reference to the additional affidavit of Mr. Ranveer Singh, Executive Engineer, Karnal Water Services Division, Karnal (earlier known as Nardak Water Services Division, Karnal), filed in compliance to the order dated 19.11.2024, wherein it is stated that even though the petitioner had initially joined as Clerk on 05.1.1977 in the pay scale of Rs.110-225 and was promoted on provisional basis against the post of Steno Typist in the same pay scale, however, before his promotion could be regularized, he was recommended for a regular appointment by the Subordinate Services Selection Board, Haryana on 15.05.1978 against the post of Steno Typist. The benefit of pay protection was however extended and his pay was fixed @ Rs.114+25 by way of a Spl. Pay in the pay scale of Rs. 110-225+25 S.P. Hence, the initial appointment of the petitioner has to be considered against the post of a Steno Typist for



all references i.e. future pay scale vis-à-vis promotions. It being a case of fresh appointment to the post of Steno Typist, where the pay had been protected, the petitioner cannot still claim himself to be a member in the Cadre of a Clerk as both have different lines of promotion. While the Clerks have a separate line of promotion i.e. Sub-Divisional Clerk, Accounts Clerk, Head Clerk/Dy. Superintendent and thereafter as Circle Superintendent, the promotional avenues for Steno Typist are Circle Stenographer, Dy. Superintendent, Circle Superintendent. He further refers to the pay scale drawn by the petitioner on different posts i.e. as Steno Typist, Circle Stenographer and Dy. Superintendent. The same is extracted as under:-

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Sr. No.	Date	Post	Pay scale	Remarks
1.	15.05.1978	Steno-Typist	110-225+25 Spl. Pay.	Pay scale prescribed for the post of Steno-typist
2.	01.04.1979	-do-	400-660+50 Spl. Pay	Pay scale prescribed for the post of Steno-typist on revision of pay scale.
3.	01.01.1986	-do-	950-1500+100 Spl. Pay	Pay scale prescribed for the post of Steno-typist on revision of pay scale.
4.	11.07.1988	Circle Stenographer	1400-2600	Pay scale given on promotion as prescribed for the post of Circle Stenographer
5.	01.01.1996	-do-	5000-7850	Pay scale given on revision of pay scale of Rs.5000-7850 corresponding to the post of Circle Stenographer.
6.	31.08.2000	Deputy Superintendent	5500-9000	Pay scale given on promotion as Deputy Superintendent.

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4. Learned State counsel further contends that the Finance Department of Government of Haryana vide memo no.1/34/93-4PR (FD) dated 08.02.1994 had introduced the scheme namely time bound Higher Standard pay scale applicable w.e.f. 01.01.1994 to remove the stagnation of the employees. Relevant part of the same reads thus:

“With effect from First January, 1994 or thereafter, as the case may be, the grant of higher standard scale will be regulated as under:-

- (i) Every employee of group 'C' and 'D' category who has not got any promotional scale/higher time scale/selection grade in his service career and has completed twenty years or more of regular satisfactory service before 1.1.94 will be allowed with effect from standard pay scale specified in column 4 of the enclosed Annexure with respect to the pay scale of the post applicable from 1.1.1986. An employee who completes such regular satisfactory service of twenty years after 1.1.1994 and has not got any promotion or promotional scale/higher time scale/selection grade in his service career will be allowed the afore-said second higher standard scale from first day of the month following the month in which he completes such service.*
- (ii) Every employee of group 'C' and 'D' category who has not got any promotion or promotional scale/higher time*



CWP-13924-1999 (O&M)

scale/selection grade in his service career and has completed ten years or more but less than twenty years regular satisfactory-service before 1.1.1994 will be allowed with effect from 1.1.1994 in place of his present pay scale of first higher standard scale specified in column 3 of the enclosed Annexure with respect to the pay scale of the post applicable from 1.1.1986. An employee who completes such regular satisfactory service of ten years after 1.1.1994 and has got no promotion or promotional scale/higher time scale/selection grade in his service career will be allowed the afore-said first higher standard scale from first day of the month following the month in which he completes such service.

- (iii) Every employee of group 'C' and 'D' category who has completed twenty years or more of regular satisfactory service before 1.1.1994 but has not got only one promotion or promotional scale/higher time scale/selection grade in his service will be allowed with effect from 1.1.1994 in place of his present pay scale the first higher standard scale specified in column 3 of the enclosed Annexure with respect to the pay scale of the post applicable from First January, 1986. An employee who completes such regular satisfactory service of twenty*



105

CWP-13924-1999 (O&M)

years after 1.1.1994 but has got only one promotion or promotional scale/higher time scale/selection grade/higher standard scale in his service career will be allowed the aforesaid first higher standard scale with effect from first day of the month following the month in which he completes such service."

5. He further submits that the Government emphasized the pay scale of the post applicable w.e.f. 01.01.1986. Hence, the post held by an employee as on 01.01.1986 was the relevant factor for grant of higher standard pay scale. The chart depicting the pay scales available to the post of Steno Typist from 01.01.1986, if benefit of promotion had not been extended is tabulated as under:-

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<i>Steno-typist</i>			
<i>01.01.1986</i>	<i>01.01.1994</i>	<i>01.01.1994</i>	<i>01.01.1996</i>
<i>950-1500-100 S.P.</i>	<i>1200-2040 On completion of 10 years service as 1st higher standard scale</i>	<i>1400-2600 On completion of 20 years service as 2nd higher standard scale</i>	<i>3050-4590 Functional pay scale 4000-6000 Corresponding to 1st HSS 5000-7850 Corresponding to 2nd HSS</i>

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6. The petitioner having already been promoted to the post of Circle Stenographer w.e.f. 11.07.1988, the applicability of the pay scale



stood modified according to the promotion. Had the petitioner not been promoted to the post of Circle Stenographer, his pay scale as per the provision of the Govt. Instructions dated 08.02.1994 would be corresponding to the pay scale of Rs.950-1500 which was the applicable pay scale to the post of Steno Typist as held by him on 01.01.1986. According to Table-5 of Annexure appended with Govt. Instructions dated 08.02.1994, the first higher standard pay scale was prescribed as Rs.1200-2040 and 2nd higher standard pay scale as Rs.1400-2600 corresponding to the pay scale of Rs.950-1500 payable to a Steno Typist as drawn by the petitioner on that date. Thus, the petitioner becomes entitled to the pay scale Rs.1200-2040 w.e.f. 01.01.1994 and Rs.1400-2600 w.e.f. 01.06.1998. Having been promoted as Circle Stenographer w.e.f. 11.07.1988 in the pay scale of Rs.1400-2600, which is higher than his entitlement, the pay scale already granted to an employee could not be revised, hence, the petitioner was granted the pay scale of Rs.5000-7850 w.e.f. 01.01.1996 corresponding to the pay scale of Rs.1400-2600 applicable to the post of Circle Stenographer. The Haryana Civil Services (ACP) Rules, 1998 would not be applicable to the petitioner as his entitled pay scale could not be reduced than the post held by him. It is further averred that the petitioner got his pay fixed @ Rs.1640-2900 w.e.f. 04.01.1997 due to some wrong interpretation vide order dated 08.09.1997 and the same was rectified by the department and the pay of the petitioner was thereafter re-fixed in the corresponding pay scale of his promotional post i.e. Circle Stenographer in the pay scale of Rs.5000-7850 vide order dated 12.06.1998 and rectification was ordered to be carried out



in the Service Book on 15.04.1999.

7. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

8. A specific query was put to the counsel for the petitioner as to how the re-fixation of the pay of the petitioner in the applicable pay scale is incorrect, however, he is not in a position to dispute that the withdrawal of the pay scale of Rs.1640-2900 was wrong or improper.

9. Once the petitioner fails to dispute that the pay scale of Rs.1640-2900 granted to him has rightly been withdrawn, the petitioner cannot at the same time be permitted to contend that he is entitled to a corresponding pay scale to the applicable pay scale of Rs.1640-2900.

10. For the foregoing reasons, I find that the arguments advanced by the petitioner itself defeat his case. The present writ petition is accordingly **dismissed**.

(VINOD S. BHARDWAJ)
JUDGE

16.07.2025

Mangal Singh

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