

No. FIN(PR)B(7)- 2/2001  
Government of Himachal Pradesh  
Finance (Pay Revision) Department.

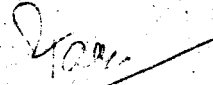
Dated Shimla-171002. the 15<sup>th</sup> January, 2002

OFFICE MEMORANDUM

It has been observed that various claims regarding allowing of higher pay scale, selection grade, special pay and other financial benefits are being preferred by the employees and such claims are decided by the Hon'ble Tribunal/Courts in favour of the applicants with retrospective effect, causing many problems such as payment of arrears, step up of pay of senior employees etc. etc.

The matter has been examined in consultation with the Law Department in the light of the Judgement delivered by Hon'ble Supreme Court of India in case of Jai dev Gupta Vs. State of Himachal Pradesh, reported in AIR 1998 SC. 2819 and it has been decided that as and when any dispute is taken to Court or Tribunal by an employee in respect of his pay scale or selection grade or other allowances etc. , the replying respondent should invariably take a defence on the strength of Judgement of Hon'ble Supreme Court in case of Jai dev Gupta Vs. State of Himachal Pradesh, reported in AIR 1998 SC. 2819, that the arrears/backwages should be restricted for a period of three years only. In case the Hon'ble Tribunal or Court do not agree with the defence of the Government/Department, the matter should be agitated before the higher Court by way of appropriate remedy.

This may be brought to the notice of all concerned.

  
Additional Secretary (FIN-PR) to the  
Government of Himachal Pradesh.

To

All Secretaries to the  
Government of Himachal Pradesh.

No. FIN(PR)B(7)- 2/2001 Dated Shimla-171002. the 15<sup>th</sup> January, 2002  
1. The Accountant General, Himachal Pradesh, Shimla-171003