

High Court matter

HIMACHAL PR ADESH
PUBLIC WORKS DEPARTMENT

No. PWE-133(Court Case Rakesh Kumar) ES-III-2015-

3278-3448
Dated:-15/6/2015

From:-

Engineer-in Chief
H.P.PWD, Shimla-2

To

1. The Engineer-in-Chief (Quality & Control), HPPWD,
2. All the Chief Engineers in HPPWD,
3. All the Superintending Engineers in HPPWD including Mechanical & Electrical,
4. All Executive Engineers in HPPWD including Mechanical, Electrical & Horticulture.

Subject: -

Supply of copy of order in granting of work charge status upon completion of 8 years service to those workmen in continuous engagement since year, 1994, 1995, 1996 & 1997 with citizen of India and in Nepali citizen for 1994, 1995 & 1996.

Sir,


In the subject cited matter kindly find enclosed herewith copy of detailed speaking order passed by this office in numerous Writ Petitions / OAs decided by Hon'ble High Court and Hon'ble Administrative Tribunal after affording opportunity of being heard on various dates by the undersigned to all the petitioner / applicant respective workmen working in PWD. This order shall be applicable to all the workmen who have filed Writ Petitions / OAs as well as to those Class-IV workmen who have not filed the same but found entitled to this benefit as per guidelines mentioned in this order. This order has also been passed after obtaining the advice of Finance Department as well as by the Administrative Department / Government.

Therefore, to avoid any ambiguity and multiplicity of litigation, in each case you are as such requested to form screening committee at circle level with its members "Superintending Engineer" concerned, "Executive Engineer" and "Assistant Engineer" in which working days detail of each workmen be again re-verified, only thereafter the benefit as per the guidelines conveyed in this speaking order be allowed

positively within 15 days to each workman to avoid multiplicity of litigation as well as any adverse proceedings.

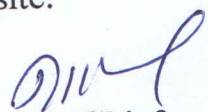
Yours faithfully,

Encls: as above


Engineer-in-Chief,
H.P.PWD, Shimla-2

Copy forwarded for information and necessary action to:-

1. The Additional Chief Secretary (PW) to the Govt. of H.P. with reference to his office letter No. PBW-A-E(1)-42/2012 dated 29-5-2015.
2. The Principal Secretary (Finance) to the Government of HP with respect to his office UO No. 53146811-Fin-F/2015 dated 13-3-2015.
3. The Accountant General, Himachal Pradesh, Shimla-3.
4. Copy to IT Section In-charge for updating this letter a/w speaking order and Annexures-'A', 'B', 'C' & 'D' on departmental website.
5. File No.PWE-133-11(Regularization)/2015 for record.


Engineer-in-Chief,
H.P.PWD, Shimla-2

Himachal Pradesh
Public Works Department
"Office Order"

Whereas numerous petitions (i.e. CWP, OA) have been filed before Hon'ble High Court of HP as well as before Ld. Administrative Tribunal by various workmen engaged in Public Works Department on daily wage basis w.e.f. year 1994 onward. In these petitions respective workmen are seeking work charged status upon completion of 8 years continuous service in terms of instructions/policy framed by Govt. dated 06.05.2000. This policy dated 06.05.2000 was considered by the Hon'ble High Court in CWP No. 2735/2010 titled Rakesh Kumar Vs. State of HP and finally decided on 28-7-2010 with precise directions as under: -

"7. In the above circumstances, these Writ Petitions are disposed of directing the respondents to consider the case(s) of the petitioners herein for conferment of work-charged status, subject to their eligibility in terms of the policy dated 03.04.2000 and as explained in 06.05.2000 policy, as extracted above. Needful in this regard shall be done within a period of three months from the date of production of the copy of this judgment by the respective petitioners. Needless to say that the question of conferment of work-charged status does not arise in case the establishment ceases to be a work charged establishment and hence, the conferment of the status will not arise after the abolition of the work-charged status of the establishment."

And whereas the above decision was challenged by State in SLP(s) and now after the decision of Hon'ble Apex Court dated 15.01.2015 the above directions passed by Hon'ble High Court had attained finality due to dismissal of SLPs filed by the State of HP against said verdict. Accordingly, the matter was taken up with the Govt. and in consultation with Finance Deptt. the govt. of HP advised the I&PH deptt. as under: -

"Examined. In order to implement the order of the Hon'ble Court, Department to keep in view of the following fact(s): -

- a) The claim of arrears is to be restricted to three years from the date of filing the claim in the Court as per the F.D.'s instructions dated 15th December, 2011 (copy enclosed) and as per the Supreme Court of India decision in case of Jai Dev Gupta Vs. State of Hp and State of Madhya Pradesh &*

Ors. Vs. Yogendra Shrivastava and Union of India
& Ors. Vs. Tarsem Singh (Copy enclosed).

- b) The Hon'ble court in Para-7 of its judgment dated 28th July, 2010 has ordered that "Conferment of work charged status does not arise in case the establishment ceases to be work charged establishment and hence the conferment of the status will not arise after abolition of work charged status of the establishment." In I&PH Department, the work charged establishment cease to exist on 19.06.2001 for Class-III and on 12.12.2005 for Class-IV. Hence, a workman completing 8 years prior these dates will only be conferred work charge status. Department may thus proceed further in the matter accordingly."

And whereas upon receipt of this advise so conveyed to I&PH deptt., as such, to grant its parity to the similar situated workmen of Public Works Deptt., the matter was also taken up with govt. vide letter dated 10.04.2015 whereupon now the office of Addl. Chief Secretary to the Govt. of HP vide letter dated 29.05.2015 had advised as under: -

"Examined. Finance Department reiterates its earlier advice(s) in this case too (as reproduced vide N-31(X) of AD (PWD)'s file) as tendered/conveyed vide U.O. No. 53146811-Fin-F/2015 dated 13.03.2015 in similar situated case of I&PH Department on their departmental file bearing No. IPH(A)-E(3)-109/2010 loose.

It has therefore been decided to take further necessary action in the matter as per advice given by the Finance Department on IPH department's file No. IPH(A)-E(3)-109/2010 loose dated 17.03.2015 ordered by Justice CJ Kurian in Rakesh Kumar case, which mandates no conferment of work charge status where such cadre stand abolished. However, while implementing the judgment of Apex Court in SLP No. 8830-8868/2011 titled State of HP Vs. Rakesh Kumar and others, the decision of Jai Dev Gupta case be implemented for restricting arrear to three years. Further, regularization shall be made as per decision in Gauri Dutt case mandating regularization as per policy of Government as existing."

Now, therefore, taking into consideration the above discussed directions passed by Hon'ble High Court and Hon'ble Apex Court and thereupon the decision conveyed by the Government dated 29-5-2015 also as discussed above it has been decided as under: -

- (a) That only the workmen engaged on daily wage basis and in continuous service with 240 days w.e.f. calendar year of 1994 to 1997 that too, only in Class-IV category shall be granted work charge status upon completion of 8 years w.e.f. 01.01.2002, 01.01.2003, 01.01.2004 & 01.01.2005 respectively. However, the workmen in Class-IV category engaged thereafter i.e. since the year 1998 onward shall not be entitled for this benefit because the work charge status in Class-IV category stood abolished by govt. in Public Works Deptt. that too, upon the demand of workers union itself or 19.08.2005 and converted into regular posts. Therefore the benefit of Rakesh Kumar judgment in Public Works Deptt. becomes admissible only to above mentioned workmen of Class-IV category i.e. with continuous service in the British Calendar year of 1994, 1995, 1996 and 1997 only.
- (b) None of the workmen falling in Class-III category are entitled for this benefit of work charge status in view of the specific directions passed by the Hon'ble High Court in Rakesh Kumar case mentioned above to the extent that where work charge category ceases to exist this benefit is not admissible. In Class-III category, upon demand of workers union the govt. of HP in Public Works Deptt. abolished work charge status as on 01.04.2001 as such the parity of Rakesh Kumar ratio of law shall not be admissible to Class-III category which view recently has also been upheld by Hon'ble High Court in CWP No. 4589/2012 titled Vinay Kumar Vs. State of HP dated 27.10.2014.
- (c) In the terms of amended regularization policy framed by Hon'ble Apex Court in Mool Raj Upadhyay case thereafter followed in Gehar Singh case by Hon'ble Apex Court and thereafter in Gauri Dutt case by Hon'ble High Court, the workmen in continuous service as on 31.12.1993 as per para-1 of amended regularization policy by Hon'ble Apex Court have been granted work charged status w.e.f. 01.01.1994 upon completion of 10 years continuous daily wage service. This granting of work charged status in every year w.e.f. 01.01.1994 to 01.01.2003 for 10 years had continuously been followed by the Public Works Deptt. upon verdict in Gehar Sinch and Gauri Dutt cases. As such these workmen in Class-

IV categories who were initially made work charge on respective dates w.e.f. 01-01-1994 to 01-01-2003 have also been granted regular status w.e.f. 19.08.2005, whereas now their juniors engaged in the British Calendar years of 1994, 1995, 1996 & 1997 on daily wage basis and completing continuous daily wage service in the said years upto 8 years continuously shall be granting this benefit upon completion of required 8 years daily wage continuous service as on 01-01-2002, 01-01-2003, 01-01-2004 and 01-01-2005 respectively. Therefore, to avoid seniority dispute *interse* 8 years continuous daily wage service workmen and 10 years daily wage continuous service workmen it has been decided that the workmen who have got work charge status automatically under Mool Raj regularization policy upon conversion of work charge status to regular status on 19-8-2005 shall be reckoned enblock seniors. However, the workmen who are now granted work charge status w.e.f. 01-01-2002, 01-01-2003, 01-01-2004 & 01-01-2005 shall be placed enblock junior, that too, as per their *interse* seniority below the workman having been converted to regular post on 19-8-2005 and regularized w.e.f. 19-8-2005 upon conversion of work charge status into regular status under Mool Raj regularization policy simply on the ground that the workmen granted work charge status upon completion of 10 years continuous daily wage service are senior in daily wage category to the workmen engaged on daily wage basis w.e.f. 01-01-1994 under policy of Government dated 06-5-2000.

- (d) Since numerous petitions have been filed by the workmen engaged in Public Works Deptt. As such in terms of decision conveyed by the govt. now passed these workmen upon receiving of work charged status shall be fixed notionally in the respective block year of 1994, 1995, 1996 & 1997 to which respective workmen is found entitled in the pay scale admissible. However, the actual financial benefit shall be admissible to respective workmen for proceeding three years from the date of filing of writ petition(s) or OA(s). But in those cases where workmen had not filed any writ petition, he/they shall be entitled for financial/actual benefit for proceeding three years from the date of this order only.
- (e) Since the Hon'ble High Court and Hon'ble Tribunal through respective writ petitions /O.A.'s have passed respective directions to consider and grant parity of Rakesh Kumar judgment to the incumbent workmen. Therefore, to consider

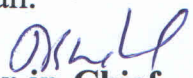
and decide all these cases, the list of all these cases who are found entitled to said benefit with complete status Circle & Division wise in Public Works Deptt. are annexed herewith as **Annexure-A** and as such shall be treated to considered and allowed in terms of above findings. This status in terms of Writ Petition /O.A. includes name of workmen, date of filing petition, and name of Circle/Division to prepare admissible actual and notional benefit. Therefore all the respective appointing authorities/Executive Engineer(s) of Public Works Deptt. are hereby directed to grant work charged status to the respective workmen in Class-IV category in terms of findings as above. However, the remaining claims in cases of Class-III category of workmen in engagement since 1994 itself and the workmen of Class-IV category in continuous service since the year 1998 onward are hereby considered and rejected in terms of findings above and the list of these cases which shall be treated as finally decided and rejected in terms of above findings are annexed herewith as **Annexure-B**.

- (f) Lastly the workmen who is not citizen of India and is of Nepali origin but engaged and in continuous service in Class-IV category in the calendar year 1994, 1995 and 1996 shall also be entitled to get work charge status w.e.f. 01.01.2002, 01.01.2003 & 01.01.2004 respectively. This being so because since 03.07.2004 the amended R&P Rules in Class-IV categories providing regularization to incumbent who is only "**Citizen of India**" became applicable. As such the workmen with Nepali origin engaged in the year 1997 shall not be entitled for the parity of Rakesh Kumar ratio of law and above decision of the Government dated 29-5-2014 to get work charge status. Accordingly, the list of cases to be dealt by respective Executive Engineer(s) for granting the foreign nationals this benefit of work charge status is enclosed herewith as **Annexure-C**. However, the Nepali Citizen being not citizen of India and who are found not entitled to this status in view of findings as recorded above and also as per verdict in Dal Bahadur and Shiv Kumari cases of Division Bench of Hon'ble High Court of HP dated 09-11-2011 and 27-4-2012, the list of these cases have also been prepared and annexed as **Annexure-D**. All these cases in Annexure-D are considered and rejected in terms of above findings.
- (g) That the cases in annexures 'A', 'B', 'C' & 'D' have been decided as per information / working days detail and other service record supplied by employer / respective Executive

Engineer during personal hearing of each case. But still to avoid any ambiguity, respective Superintending Engineer, Executive Engineer and Assistant Engineer may form screening committee immediately to grant this benefit by re-considering individual cases of each workman in the ambit of guidelines mentioned above in paras (a) to (f) and thereafter may also carry necessary entries in the service record of respective workman in whose favour this benefit has been allowed. However, in rejected cases the copy of this order be kept in the service book file so that in future if the workman again assail the issue, proper reply is also prepared as per said service record. **In case any ambiguity is found, the case be re-referred to this office for clarification immediately.**


- (h) That in those cases where workman is found entitled to the benefit, the actual arrear to which the workman is found entitled shall be disbursed to him as per instruction issued by Finance Department vide letter No. FIN-E-1-C(17)-6/08 dated 7-01-2012 i.e. in equal installments. However, in those cases where workman is found entitled to the benefit but had already retired, he be allowed the entire benefit of arrear in one installment only as per ratio of law laid down by Hon'ble High Court of HP in CWP No. 1849/2013 titled Daya Ram vs State of HP dated 28-6-2013. But only in serving workmen cases arrear be paid as per above instructions of Finance Department in installments.
- (i) That copy of this order alongwith the copy of abstract of the Annexures through which his case is found allowed or disallowed be also supplied to respective workman immediately by Assistant Engineer concerned with proper receipt so that this order may come to his knowledge to avoid any adverse proceedings as individual order are unable to be supplied to each workmen being numbers in thousands. Thus copy of this order alongwith respective annexures are also placed at the department website which may kindly be downloaded and under proper receipt be also supplied through Assistant Engineer-in-charge under whom respective workman is working and proof of receipt of copy of order be annexed on the respective service book of each workman.

May inform the all accordingly.


Engineer-in-Chief,
HPPWD Shimla-2.

Copy forwarded for information and necessary action to:-

1. The Additional Chief Secretary (PW) to the Govt. of H.P. with reference to his office letter No.PBW-A-E(1)-42/2012 dated 29-5-2015.
2. The Principal Secretary (Finance) to the Government of HP with reference to his office U O No. 53146811-Fin-F/2015 dated 13.03. 2015.
3. The Accountant General, Himachal Pradesh, Shimla-3.
4. Copy to IT Section In-charge for updating this speaking order a/w letter to all CEs, SEs & EEs with Annexures-'A', 'B', 'C' & 'D' on departmental website.
5. To individual workman through Assistant Engineer concerned with the request to respective Assistant Engineer to download the copy of order from department website and supply copy of order under proper receipt which be placed on service record of workman.


**Engineer-in-Chief,
HPPWD Shimla-2.**

ANNEXURE- 'A'

LIST OF CASES WHICH ARE ALLOWED WORK CHARGE STATUS AS PER JUDGMENT DATED 28-7-2010 PASSED IN CWP NO. 2735/2010 TITLED RAKESH KUMAR VS STATE OF HP UPON DISMISSAL OF SLP NO. 8830-8868/2011 TITLED STATE OF HP VS RAKESH KUMAR AND OTHERS.

Sr . N O.	Title of the case/Name of petitioner(s) Divn./Circle.	Date of filing of CWP	In Class-IV to which petitioner belongs such as Beldar, Chowkidar, sweeper, cleaner, Mali, Mate, T- Mate, Catpenter Grade-IV,	Year of conti- nuous engage-ment on daily wage basis	Date of entitle- ment of work charge status on 'Notional Basis'	Date of actual entitlement of 'Actual Benefit' (arrears).	Remarks
1	2	3	4	5	6	7	8
SE, 1st Circle, Mandi.							
Mandi Division, No.II, HP.PWD., Mandi.							
1	CWP No. 2452/2014-Sh. Roop Lal vs State of HP. Date of decision 16.04.2014	04-06-2014	Beldar Class-IV	1997	01.01.2005	06.04.2011	Considered and allowed
2	CWP No. 1159/2015-Smt. Kamla Devi & 1 Other vs State of HP. Date of decision 23.02.2015	25/01/2015	Beldars Class-IV	1996 and 1997	01.01.2004 and 01.01.2005 as the case may be	25.01.2012	Considered and allowed
3	CWP No. 1321/2014-Sh. Karam Singh & 4 Other vs State of HP. Date of decision 05.03.2014	09.02.2014	Beldars Class-IV	1995,1996 and 1997	01.01.2003, 01.01.2004 and 01.01.2005 as the case may be	09.02.2011	Considered and allowed

1	2	3	4	5	6	7	8
4	CWP NO. 607/2014 Naresh Kumar and 23 others vs State of HP . (Except Petitioner No. 2, 4, 7 & 8 other petitioners are in Class-IV category)Date of Decision 18-3-2014	01-05-2014	Beldar (Class-IV)	1994,1995 , 1996 & 1997	01-01-2002, 01-01-2003, 01-01-2004 & 01-01-2005 as the case may be	01-05-2011	Considered and allowed for petitioner No. 1, 3, 5, 6, 9 to 24. But for Petitioner No. 2, Sh. Bir Singh, Petitioner No. 4, Sh. Umesh Chand, Petitioner No. 7, Sh. Krishan Chand Petitioner No. 8, Sh. Man Singh considered and rejected being Class-III category.
5	CWP No. 8293/2014 titled Khem Chand and 1 other vs State of HP. Date of decision 14-11-2014	14-11-2014	Beldar(Class-IV)	1997	1/1/2005 as the case may be	14-11-2011	Considered and allowed for Petitioner No. 2 only namely ,Sh. Khem Chand s/o Sh. Chand Ram. But for petitioner No. 1 is considered and rejected being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
6	CWP No. 325/2014- titled Sh. Jai Dev vs State of HP. Date of decision 09.01.2014	29.12.2013	Beldar Class-IV	1994	01.01.2002as the case may be	29.12/2010	Considered and allowed
Sundernagar Division. , HP.PWD., Sundernagar .							
1	CWP No. 1372/2014-Sh. Garib Dass & ors. Date of decision 06.03.2014	03-06-2014	Beldar (Class-IV)	1996	01.01.2004 as the case may be	09.02.2011	Considered and allowed
Dharampur Division, HP.PWD., Dharampur .							
1	CWP No.2164/2014-Sh. Vikram Singh Vs. State of H.P. Date of decision 04.04.2014	02.04.2014	Beldar (Class-IV)	1995	01.01.2003 as the case may be	02.04.2011	Considered and allowed

1	2	3	4	5	6	7	8
Gohar Division, HP.PWD., Gohar .							
1	CWP No. 1425/2014-Sh. Sher Singh Vs. State of H.P. Date of decision 10.03.2014	12.01.2014	Beldar (Class-IV)	1994	01.01.2002 as the case may be	02.04.2011	Considered and allowed
SE, 3rd Circle, Solan .							
Arki Division., HP.PWD., Arki .							
1	CWP No. 217/2014-Sh.Satish Kumar vs state of HP. Date of decision 23.06.2014	08.12.2013	Beldar (Class-IV)	1995	01.01.2003 as the case may be	08.12.2010	Considered and allowed
2	CWP No. 7307/2010-Sh.Paras Ram vs state of HP. Date of decision 28.07.2011	25.11.2010	Beldar (Class-IV)	1994	01.01.2002 as the case may be	25.11.2007	Considered and allowed
3	CWP No. 1377/2014-Sh. Kirpu Ram vs state of HP. Date of decision 07.03.2014	02.02.2014	Beldar (Class-IV)	1994	01.01.2002 as the case may be	02.02.2011	Considered and allowed
Solan / Nalagarh Division., HP.PWD.,Solan / Nalagarh .							
1	CWP No. 454/2014-Sh. Ashok Kumar & 3 Others vs state of HP. Date of decision 07.03.2014	15.12.2013	Beldar (Class-IV)	1995 & 1997 respectively	01.01.2003 & 01-01-2005 as the case may be	15.12.2010	Considered and allowed
Solan Division., HP.PWD.,Solan							

1	2	3	4	5	6	7	8
1	CWP No. 255/2014-Smt. Santosh Sharma & 4 ors. (Except Petitioner No. 1 other 4 i.e. 2,3,4 & 5 petitioner are in Class-IV category). Date of decision 08.01.2014	01-08-2014	Beldar (Class-IV)	1994	01.01.2002 as the case may be	01-08-2011	Considered and allowed for petitioner No. 2, Sh. Ramesh Kumar, Petitioner No. 3, Sh. Manohar Lal, Petitioner No. 4, Sh. Roshan Lal, Petitioner No. 5, Sh. Pradeep Kumar. But for petitioner No. 1, Smt. Santosh Sharma considered and rejected being Class-III category whose work charge status abolished on 01-4-2001.
	Solan Division., HP.PWD.,Solan						
1	CWP No. 1631/2014- titled Sh. Surender Kumar vs state of HP. Date of decision 19.03.2014	09.03.2014	Beldar (Class-IV)	1995	01.01.2003 as the case may be	09.03.2014	Considered and allowed
SE, 4th Circle, Shimla/SE Electrical Shimla							
Shimla Division, No.III, HP.PWD., Shimla.							
1	CWP No. 3959/2013-Sh. Joginder kumar & 4 ors. Vs State of HP. Date of decision 06.06.2014	18.05.2014	Beldar (Class-IV)	1994 , 1995 and 1996	01.01.2002, 01.01.2003 and 01.01.2004 as the case may be	18.05.2011	Considered and allowed for all five petitioners.
Electrical Division / Shimla Division No. III, HPPWD							

1	2	3	4	5	6	7	8
1	CWP NO. 10043/2013 titled Devender Kumar and 3 others vs state of HP. (Except Petitioner No. 2 all others are Class-IV workmen). Date of Decision 01-01-2014	01-01-2014	Beldar Class-IV and Wailder Gr.-II	1994 & 1995 respectively	01-01-2002 & 01-01-2003 as the case may be	01-01-2011	Considered and allowed for Petitioner No. 1., Devender Kumar, Petitioner No. 3, Sh. Surender Kumar, Petitioner No.4, Sh. Jagdish Kumar only. For petitioner No. 2 considered and rejected being Class-III category whose work charge status abolished on 01-04-2001.
Shimla Division, No.I, HP.PWD., Shimla.							
1	CWP No. 1948/2014-Sh. Ram Lal vs state of HP. Date of decision 04.04.2014	07.03.2014	Sewerman (Class-IV)	1996	01.01.2004as the case may be	07.03.2011	Considered and allowed
Shimla Division, No.I, HP.PWD., Shimla.							
1	CWP No. 1718/2014- titled Sh. Rajan Kumar vs state of HP. Date of decision 24.03.2014	09.3.2014	Sweeper (Class-IV)	1994	01.01.2002 as the case may be	09.03.2011	Considered and allowed
Shimla Division, No.I, HP.PWD., Shimla.							
1	CWP No. 522/2014- Sh. Mohan Singh titled & 2 others vs State of HP. Date of decision 13.03.2013	13.03.2013	Beldars (Class-IV)	1994, and 1995	01.01.2002 ,01.01.2003 as the case may be	13.03.2011	Considered and allowed for all 3 petitioners.
Shimla Division, No.I/III , HP.PWD., Shimla.							

1	2	3	4	5	6	7	8
1	CWP No. 9281/2013 titled Dev Raj and 23 others. (Except Petitioner No. 2 namely Sh. Om Prakash all other Petitioners at Sr. No. 1 and 3 to 24 are serving in Class-IV category). Date of decision 29-11-2013	17-11-2013	Beldar, Chowkidar, Carpenter-IV, Mali (Class-IV)	1994, 1995, 1996 & 1997	01-01-2002, 01-01-2003, 01-01-2004 & 01-01-2005 as the case may be	17-11-2010	Considered and allowed for petitioner No. 1, 3 to 24 . But for petitioner No. 2 namely Sh. Om Prakahs considered and rejected being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
SE, 5th Circle, Palampur							
Dharamshala Division, HP.PWD., Dharamshala .							
1	CWP No. 1568/2014-Smt. Nisha Devi vs state of HP. Date of decision 14.03.2014	23.02.2014	Beldar (Class-IV)	1996	1.012004 as the case may be	23.02.2011	Considered and allowed
2	CWP No. 1423/2014 titled Balwinder Singh & 9 others vs State of HP. Date of decision 10-3-2014	26-01-2014	Beldar (Class-IV)	1994, 1995 & 1996	01-01-2002, 01-01-2003 & 01-01-2004 as the case may be	26-01-2011	Considered and allowed for all 10 petitioners.
3	CWP No. 1424/2014 titled Sh. Gambhir Singh & 1 others vs State of HP. Date of decision 10-3-2014	26-01-2014	Beldar (Class-IV)	1995	01-01-2003 as the case may be	26-01-2011	Considered and allowed for all 2 petitioners.
SE, 6th Circle, Kullu							
Kullu Division, No. I HP.PWD., Kullu .							
1	CWP No. 5418/2014-Sh. Gopal Chand & 2 Others. Date of decision 08.08.2014	08-08-2014	Beldar Class-IV	1994 and 1995	01.01.2002, 01.01.2003 as the case may be	08-08-2011	Considered and allowed for all three petitioners.
Kullu Division, No. II HP.PWD., Kullu .							

1	2	3	4	5	6	7	8
1	CWP No. 48/2014-Sh. Rewat Ram & 6 ors. (Except Petitioner No. 5 & 6 other petitioners are class-IV workman) Date of decision 03.01.2014	01-03-2014	Beldar Class-IV	1994 , 1995 and 1996 respectively	01.01.2002, 01.01.2003 and 01.01.2004 as the case may be	22.12.2010	Considered and allowed for Petitioner No. 1, Rewati Ram, Petitioner No. 2, Chain Singh, Petitioner No. 3, Hukam Ram, Petitioner No. 4, Smt. Barna Petitioner No. 7, Sh. Bahadur. And for Petitioner No. 5 & 6 considered and rejected because in Class-III & Class-IV category work charge status was abolished on 01-4-2001 and 19-8-
Kullu Division, No. II HP.PWD., Kullu .							
1	CWP No. 221/2014-Sh.Sher Singh & 4 ors. (Except Petitioner No. 1 & 4 other petitioners are class-IV workman) Date of decision 08.01.2014	29.12.2013	Beldar Class-IV	1997 and 1997 respectively	01.01.2005 as the case may be	29.12.2010	Considered and allowed for Petitioner No. 2, Tirath Ram, and Petitioner No. 3, Smt. Banti Devi . And for Petitioner No. 1 Sh. Sher Singh & Petitioner No. 4 Smt. Geeta Devi considered and rejected because in Class-III & Class-IV category work charge status was abolished on 01-4-2001 and 19-8-2005 respectively.

1	2	3	4	5	6	7	8
2	CWP No . 6288 /2014-Smt. Ishwari Vs State of H.P. Date of decision 29.08.2014	17.08.2014	Beldar Class-IV	1996	01.01.2004 as the case may be	17.01.2011	Considered and allowed
3	CWP No . 6290 /2014-Smt. Kanauri Devi Vs State of H.P. Date of decision 29.08.2014	17.08.2014	Beldar Class-IV	1996	01.01.2004 as the case may be	17.01.2011	Considered and allowed
	Udaipur Division, HP.PWD., Udaipur						
1	CWP No .6307 /2014-titled- Sh. Neel Chand Vs State of H.P. Date of decision 29.08.2014	17.08.2014	Mali Class-IV	1995	01.01.2003 as the case may be	17.08.2014	Considered and allowed
SE, 7th Circle Dalhausie,							
Salooni /Chamba Division, HP.PWD., Salooni /Chamba Division, .							
1	CWP No. 440 /2014-Chamaru & 16 others vs State of HP. Date of decision 12-3-2014	03-12-2014	Beldar (Class-IV)	1994 & 1995	01.01.2002 & 01-01-2003 as the case may be	03-12-2011	Considered and allowed for petitioner No.5 to 17. But petitioner No. 1 to 4 are not working with HPPWD as such considered and rejected
Killar at Pangi /Chamba Division, HP.PWD., Killar at Pangi /Chamba							
1	CWP No. 332/2014 titled Sh. Jay Ram & 6 others vs State of HP. Date of decision 04.03.2014	04.03.2014	Beldar (Class-IV)	1995 & 1996	,01.01.2003 and 01.01.2004 as the case may be	04.03.2011	Considered and allowed for all 6 petitioners.
SE, 9th Circle, Nurpur							
Dehra Division, HP.PWD., Dehra .							
1	CWP No. 1960/2014-Sh. Bhajan Singh vs state of HP. Date of decision 04.04.2014	09.02.2014	Beldar (Class-IV)	1995	01.01.2003 as the case may be	09.02.2011	Considered and allowed
Fatehpur Division, HP.PWD., Fatehpur .							
1	CWP No. 1880/2014-Sh.Shamsher Singh vs state of HP. Date of decision 28.03.2014	09.02.2014	Beldar (Class-IV)	1997	01.01.2005 as the case may be	09.02.2011	Considered and allowed

1	2	3	4	5	6	7	8
	Nurpur Division, HP.PWD., Nurpur .						
1	CWP No. 1641/2014 -titled Smt. Santosh Kumari vs state of HP. Date of decision 19.03.2014	09.03.2014	Beldar (Class-IV)	1996	01.01.2004 as the case may be	09.03.2011	Considered and allowed
SE, 10 th Circle, Bilaspur							
Ghumarwin Division, HP.PWD., Ghumarwin .							
1	CWP No. 165/2013 - Sh. Basu Dev & 6 others vs state of HP. (Except Petitioner No. 5 & 7 all other petitioners are Class-IV employees). Date of decision 08.01.2014.	29.12.2013	Beldar/ Chowkidar (Class-IV)	1994, 1995 and 1996	01.01.2002, 01.01.2003 01.01.2004 as the case may be	29.12.2010	Considered and allowed for Petitioner No. 1, Sh. Basu Dev, Petitioner No. 2, Sh. Prem Lal Petitioner No. 3, Sh. Achhru Ram, Petitioner No. 4, Sh. Kamlesh Kumar, Petitioner No. 6, Sh. Manohar Lal only. For petitioner No. 5 who have already granted work charge status w.e.f. 01-01-2002 under Mool Raj regularization policy, hence not entitled for parity under Rakesh Kumar verdict. And for Petitioner
Bilaspur Division No.II, HP.PWD., Bilaspur .							

1	2	3	4	5	6	7	8
1	CWP No. 1846/2014 -Sh. Chaman Lal & 2 Others (Except Petitioner No. 1 namely Sh. Chaman Lal other 2 petitioners are in Class-III). Date of decision 26.03.2014	16.03.2014	Helper (Class-IV)	1994	01.01.2002 as the case may be	16-3-2011	Considered and allowed for petitioner No. 1 namely Sh. Chaman Lal and for petitioner No. 2 & 3 considered and rejected being Class-III category whose work charge status abolished on 01-4-2001
2	CWP No. 3805/2014 titled Sher Mohammad and 13 others vs state of HP. (Except Petitioner No. 10 & 14, other petitioners are Class-IV workmen). Date of decision 03-6-2014	06-03-2014	Beldar (Class-IV)	1994, 1995, 1996 & 1997	01.01.2002, 01.01.2003 01.01.2004 & 01-01-2005 as the case may be	06-03-2011	Considered and allowed for petitioner No. 1 to 9 and 11 to 13. But for petitioner No. 10 & 14 considered and rejected being Class-III category.
SE, 11th Circle, Rampur .							
Kumarsain Division., HP.PWD., Kumarsain.							
1	CWP No.6710/2013-Sh. Bhag Chand Vs State of H.P. Date of decision 16.09.2013	16-9-2013	Beldar (Class-IV)	1994	01.01.2002 as the case may be	16-9-2010	Considered and allowed
2	CWP No. 851/2014-Sh. Ramu Vs State of H.P. Date of decision 21.03.2014	21.03.2014	Beldar (Class-IV)	1994	01.01.2002 as the case may be	21.03.2011	Considered and allowed
Kalpa Division , HPPWD., Kalpa							

1	2	3	4	5	6	7	8
1	CWP No. 2790/2012 titled Sh. Laxman Khalko and 7 others. (Except Petitioner No. 1 namely Sh. Laxman Khalko all other Petitioners at Sr. No. 2 to 7 are serving in Class-IV category). Date of decision 27.04.2012	27.04.2012	Beldars, (Class-IV)	1994, 1995, &1996	01-01-2002,01-01-2003,& 01-01-2004 as the case may be	27.04.2009	Considered and allowed for petitioner No. 2 to 7 But for petitioner No. 1 namely Sh. Laxman Khalko considered and rejected being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
Nirmand Division , HPPWD., Nirmand							
1	CWP No. 9765/2014-titled Sh. Vidya Chand Vs State of H.P. Date of decision 04.01.2014	02.06.2013	Beldar (Class-IV)	1996	01.01.2004 as the case may be	02.06.2010	Considered and allowed
2	CWP No. 143/2014-titled Sh.Dalip Kumar Vs State of H.P. Date of decision 28.02.2014	28.02.2014	Beldar (Class-IV)	1995	01.01.2005 as the case may be	28.02.2011	Considered and allowed
SE, 12th Circle, Nohan							
Sangrah Division., HP.PWD., Sangrah .							
1	Execution Petition No. .4008 /2013-in CWP No. 2477/2013 Sh. Satya Pal Vs State of H.P. & o Date of decision 04.07.2014	17.02.2013	Beldar (Class-IV)	1995	01.01.2003 as the case may be	17-02-2010	Considered and allowed
Rajgarh Division , HPPWD							

1	2	3	4	5	6	7	8
1	CWP NO. 339/2014 titled Anil Kumar and 4 others vs state of HP. Date of Decision 04-3-2014 (Petitioner No. 3 & 5 are in continuous engagement since year, 1999)	18-12-2013	Beldar (Class-IV)	1994, 1996	01-01-2002 & 01-01-2004 as the case may be	18-12-2010	Considered and allowed for petitioner No. 1, Sh. Anil Kumar, Petitioner No. 2, Sh. Ran Bahadur, and Petitioner No. 4, Sh. Keshav Ram. But for petitioner No. 3 & 5 considered and rejected being in continuous engagement since year, 1998 & 1999 and in Class-IV category work charge status abolished on 19-8-2005.

SE, 14 th Circle, Rohru .

Rohru Division., HP.PWD., Rohru .

1	CWP No .222 /2014-Sh. Pritam Lal & 27 others Vs State of H.P. Date of decision 08.01.2014	01-08-2014	Beldar, Mate and Cleaner (Class-IV)	1994,1995 and 1996	01.01.2002 ,01.01.2003 and 01.01.2004 as the case may be	01-08-2011	Considered and allowed for all 28 petitioners.
2	CWP No .4444/2014-Sh. Shishi Ram and 19 others Vs State of H.P. (Except Petitioner No. 7 & 18 all other workmen are in engagement since year, 1994, 1995 & 1996). Date of decision 07.08.2014.	09.06.2014	Beldar, Mate ,Chowkidar and Helper (Class-IV)	1994.1995 and 1996	01.01.2002 ,01.01.2003 and 01.01.2004 as the case may be	09.06 .2011	Considered and allowed for petitioner No. 1 to 6 and 8 to 17 & 19. But for petitioner No. 7 & 18 considered and rejected.
3	CWP No. 4586/2013 titled Sukh Chain & 19 others vs State of HP. Date of decision 07-8-2013	06-09-2013	Mate & Beldar (Class-IV)	1994, 1995 & 1996	01.01.2002 ,01.01.2003 and 01.01.2004 as the case may be	06-09-2010	Considered and allowed for all 20 petitioners.

1	2	3	4	5	6	7	8
4	CWP No. 4466/2013 titled Hukum Chand & 19 others vs State of HP. (Except Petitioner No. 19 all other petitioners are working in Class-IV category) Date of decision 07-8-2013	06-09-2013	Beldar, Mate (Class-IV)	1995	01-01-2003	06-09-2010	Considered and allowed for Petitioner No. 1 to 18 & 20. But for Petitioner No. 19, Sh. Kirpa Ram is considered and rejected being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
5	CWP No. 594 /2014-Sh. Phina Dass & 5 others Vs State of H.P. (Petition No. 2. Sunak Ram workman) Date of decision 18.03.2014	05.01.2014	Beldars (Class-IV)	1994 and 1995	01.01.2002 ,01.01.2003 as the case may be	01-05-2011	Considered and allowed for all 5 petitioners.
6	CWP No. 503/2014-Sh. Ganga Ram & 6 others Vs State of H.P. Date of decision 13.03.2014	13.03.2014	Beldars (Class-IV)	1994 and 1995	01.01.2002 ,01.01.2003 as the case may be	13.03.2011	Considered and allowed for all 6 petitioners.
7	CWP No. 608/2014 titled Raju Ram & 19 others vs State of HP. Date of decision 24-01-2014	01-05-2014	Beldar (Class-IV)	1994 & 1995	01-01-2002 & 01-01-2003 as the case may be	01-05-2011	Considered and allowed for all 20 petitioners.
Dodrakwar Division., HP.PWD., Dodrakwar .							
1	CWP No .4488/2013-Sh. Narender Kumar and 19 others Vs State of H.P. (Except Petitioner No. 1 & 6 being Class-III other petitioners are Class-IV workman) Date of decision 07.08.2013	09.06.2013	Beldar, Mate Chowkidar Cleaner and Helper (Class-IV)	1994,1995 and 1996	01.01.2002 ,01.01.2003 and 01.01.2004 as the case may be	09.06 .2010	Considered and allowed for Petitioner No. 2, Sh. Angrej, Petitioner No. 3, Sh. Keshav Ram, Petitioner No. 4, Smt. Man Dassi, Petitioner No. 5, Smt. Misi Devi & Petitioner No. 7 to 20. For petitioner No. 1 & 6 considered and rejected being Class-III category
Chopal Division., HP.PWD., Chopal .							

1	2	3	4	5	6	7	8
1	CWP No. 3819/2012-Sh. Dhoom Singh & 19 ors. (Except Petitioner No. 20 being Class-III other 19 are in Class-IV category). Date of decision 11.06.2012	06-11-2012	Beldar, Mate Chowkidar Cleaner and Helper (Class-IV)	1994 ,1995 and 1996	01.01.2002 ,01.01.2003 and 01.01.2004 as the case may be	11.06.2009	Considered and allowed for Petitioner No. 1 to 19. But for Petitioner No. 20 considered and rejected being Class-III category.
Jubbal Division., HP.PWD., Jubbal .							
1	CWP No. 93/2014-Sh. Roshan Lal Vs State of H.P. Date of decision 07.01.2015	01-07-2015	Beldar (Class-IV)	1994	01.01.2002 as the case may be	01-07-2012	Considered and allowed
2	CWP No. 95/2014-Sh. Lobhu Ram Vs State of H.P. Date of decision 07.01.2015	01-07-2015	Beldar (Class-IV)	1995	01.01.2003 as the case may be	01-07-2012	Considered and allowed
S. E, Jaginderagar Circle, HP.PWD Jaginderagar .							
Mandi Division No.I HP.PWD.,at Drang .							
1	CWP No . 876 /2014-Sh. Suresh Kumar Vs State of H.P. Date of decision 21.01.2014	12.01.2014	Beldar (Class-IV)	1994	01.01.2002 as the case may be	12.01.2011	Considered and allowed
2	CWP No . 426/2011-Sh. Chint Ram Vs State of H.P. Date of decision 22.03.2011	22-3-2011	Beldar (Class-IV)	1995	01.01.2003 as the case may be	22-3-2008	Considered and allowed
3	CWP No . 9725/2013-Sh. Dharam Pal Vs State of H.P. Date of decision 18.03.2014	18-3-2014	Beldar (Class-IV)	1996	01.01.2004as the case may be	18-3-2011	Considered and allowed
4	CWP No . 1766 /2014-Sh. Tej Singh Vs State of H.P. Date of decision 01.04.2014	04-01-2014	Chowkidar(Class-IV)	1994	01.01.2002as the case may be	04-01-2011	Considered and allowed
5	O.A No . 194 /2015-Sh. Kunju Ram Vs State of H.P. Date of decision 23.03.2015	23-3-2015	Beldar (Class-IV)	1995	01.01.2003as the case may be	23-3-2012	Considered and allowed
6	O.A No . 191/2015-Sh.Parma Nand Vs State of H.P. Date of decision 23.03.2015	23-3-2015	Beldar (Class-IV)	1995	01.01.2003as the case may be	23-3-2015	Considered and allowed

1	2	3	4	5	6	7	8
7	O.A No . 189/2015-Sh. Keshav Ram Vs State of H.P. Date of decision 23.03.2015	23-03-2015	Beldar (Class-IV)	1995	01.01.2003 as the case may be	23-3-2012	Considered and allowed
8	CWP No . 9633 /2014-Smt. Devindra Devi Vs State of H.P. Date of decision 02.01.2014	02.12.2013	Beldar (Class-IV)	1995	01.01.2003 as the case may be	02.12.2010	Considered and allowed
9	CWP No .1843 /2014-Sh. Devender Kumar Vs State of H.P. Date of decision 26.03.2014	16.03.2014	Beldar (Class-IV)	1995	01.01.2003 as the case may be	16.03.2011	Considered and allowed
10	CWP No. 1365/2014- titled Sh. Dinesh Kumar & 1 Others. Date of decision 06.03.2014	09.02.2014	Beldar (Class-IV)	1995 and 1996	01.01.2003 and 01.01.2004 as the case may be	09.02.2011	Considered and allowed
SE, Electrical /4th Circle, Shimla .							
Electrical /Shimla Division. No.II, HP.PWD., Shimla/Electrical .							
1	CWP No.9786/2013-Sh.Yog Raj & 4 Others. Date of decision 23.12.2013	23-12-2013	Beldar/T-Mate	1995 and 1996	01.01.2003 and 01.01.2004 as the case may be	23-12-2010	Considered and allowed
Electrical Division No.I , Shimla Division. No.III, and Rural Divn Dharmi HP.PWD., Shimla, Rural Dharmi and Electrical .							
1	CWP NO. 9274/2013 titled Rakesh Kumar and 15 others vs state of HP. . (Except Petitioner No. 1 Sh. Rakesh Kumar being Class-III all others Petitioner No. 2 to 16 are Class-IV workmen). Date of Decision 28.11.2013	17.11.2013	T-Mates , Chowkidar, and Beldars	1994 , 1995 and 1996	01.01.2002 , 01.01.2003 and 01.01.2004 as the case may be	17.11.2010	Considered and allowed for petitioner No. 2 to 16 only. But for petitioner No. 1 Sh. Rakesh Kumar considered and rejected being Class-III
SE, Mechanical Circle, HP.PWD., Dhalli .							
Chpoal Mechanical and Rohru and Theog Division. HP.PWD., Chpoal Mechanical and Rohru and Theog .							

1	2	3	4	5	6	7	8
1	CWP No 101./2014-Sh.Bhag Mal & 55 Other vs state of HP. (Except Petitioners No. 4, 15, 24 & 43 all other workmen are working in Class-IV category) Date of decision 04.01.2014	01-04-2014	Beldar, Chowkidar, Mate	1994, 1995 and 1996	01-01-2002, 01.01.2003 and 01.01.2004 as the case may be	01-04-2011	considered and allowed for petitioner No. 1 to 3 , 5 to 14, 16 to 23, 25 to 42 and 44 to 56. But for petitioner No. 4,15,24 & 43 considered and rejected being Class-III category
NH Circle Shahpur, HPPWD							
N.H. Division., HP.PWD., Pandoh .							
1	Review Petition No. 53/2012 in CWP No. 1961/2010-Sh. Roshan Lal Vs State of H.P. Date of decision 07-8-2013	08-07-2013	Beldar	1994	01.01.2002	08-07-2010	Considered and allowed
SE, N.H Circle, Shimla							
N.H. Division., HP.PWD., Solan .							
1	CWP No. 1628/2014-Sh. Sohan Lal Vs State of H.P. Date of decision 19.03.2014.	09.03.2014	Beldar	1995	01.01.2003	09.03.2011	Considered and allowed
2	CWP No. 5508/2014-Sh. Tej Singh and Ran Singh sons of deceased Smt. Ram Kali workman) Vs State of H.P. & ors. Date of decision 11.08.2014.	08-11-2014	Beldar	1995	01.01.2003	08-11-2011	Considered and allowed for deceased Ram Kali retrospectively
N.H. Division., HP.PWD., Rampur .							
1	CWP No. 1576/2014-Smt. Amrita Vs State of H.P. (wife of deceased Sh. Ganga Ram) Date of decision 18.03.2014.	18-3-2014	Beldar	1996	01.01.2004	03-09-2011	Considered and allowed

1	2	3	4	5	6	7	8
	CWP No. 322/2014 titled Puran Chand and 5 others vs State of HP. Date of decision 09-1-2014	29-12-2013	Beldar	1995 & 1996	1/1/2003 & 01/01/2004 as the case may be	29-12-2010	Considered and allowed for Petitioner No. 1, Sh. Puran Chand and Petitioner No. 4, Sh. Vijay Kumar. But for Petitioner No. 2 , 3 & 5 considered and rejected being Class-III category work charge status abolished on 01-4-2001 and converted into regular post
Note: The process of individual consideration in the petition in terms of directions passed by Hon'ble Court is continuing. However there are numerous cases/files still left to be considered which shall also be decided very shortly within two weeks as per the guidelines Para a-f and shall also be placed in the corrigendum of this Annexure as the case may be.							

-SD-
 Engineer-in-Chief
 HP.PWD Nirman Bhawan
 Nigam Vihar Shimla -2

LIST OF CASES ENGAGED W.E.F. YEAR, 1994 and 1998 ONWARDS WHICH ARE ALLOWED WORK CHARGE STATUS AS PER JUDGMENT DATED 28-07-2010 PASSED IN CWP NO. 2735/2010 TITLED RAKESH KUMAR VS STATE OF HP UPON VS RAKESH KUMAR AN OTHERS DATED 15-1-2015.

Sr. NO.	Title of the case/Name of petitioner(s) Divn./Circle.	Class to which belong (Class-III & Class-IV)	Date of filing of CWP	Year of continuous engagement on daily wage basis	Remarks
1	2	3	4	5	6
SE, 1st Circle, Mandi.					
Gohar Division,, HP.PWD., Gohar.					
1	CWP No. 1378 /2014-Sh. Yuvraj Singh Petitioner. Date of decision 07.03.2014	Junior Engineer(Class-III)	09.02.2014	1994	Considered & rejected being class-III category whose work charge status after 01-4-2001 abolished and converted into regular post
2	CWP No. 2486 /2014- titled as Sh. Mansha Ram Petitioner. Date of decision 21.04.2014	Mason Gr-II (Class-III)	21.04.2014	1997	Considered & rejected being class-III category whose work charge status after 01-4-2001 abolished and converted into regular post
Division Dharampur, HPPWD.					
1	CWP No. 2163/2014 titled Salochana Devi and 22 others vs State of HP. Date of decision 04-04-2014	Beldar (Class-IV)	04-02-2014	1998	considered & rejected for all 23 petitioners being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post
2	CWP No. 6721/2014 titled Kartar Singh and 23 others vs State of HP. Date of decision 19-9-2014	Beldar (Class-IV)	09-01-2014	1999, 2000, 2001 & 2002	considered & rejected for all 24 petitioners being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post
Division No. II, Mandi, HPPWD					

1	2	3	4	5	6
1	CWP No. 8293/2014 titled Khem Chand and 1 other vs State of HP. Date of decision 14-11-2014	Blacksmith (Class-III)	26-10-2014	1996	Considered & rejected for Petitioner No. 1, Sh. Khem Chand S/o Sh. Surjan being class-III category whose work charge status abolished on 01-4-2001 and converted into regular post
Division No. II, Mandi, HPPWD					
1	CWP No. 3480 /2014- titled as Sh. Devi Ram Petitioner. Date of decision 22.05.2014	Mason Gr-II (Class-III)	22.04.2014	199	Considered & rejected being class-III category whose work charge status after 01-4-2001 abolished and converted into regular post

SE, 3rd Circle, Solan .

Solan Division,, HP.PWD., Solan .

1	CWP No. 255 /2014-Smt. Sanatosh sharma & 4 ors. Vs State of H.P. Date of decision 08.01.2014.	JDM (Class-III)	29.12.2013	1994	Considered & rejected for Petitioner No. 1, Smt. Santosh Sharma being class-III category whose work charge status abolished on 01-4-2001 and converted into regular post
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SE, Electrical Circle, Shimla /4th circle Shimla

Electrical Division / Shimla Division No. II, HPPWD

1	CWP NO. 10043/2013 titled Devender Kumar and 3 others vs state of HP. Date of Decision 01-01-2014.	wailder Grade-II	01-01-2014	1994	Considered & rejected for Petitioner No. 2, Sh. Pradeep Kumar only being class-III category whose work charge status abolished on 01-4-2001 and converted into regular post
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Shimla Division, No.I/III , HP.PWD., Shimla.

1	CWP No. 9281/2013 titled Dev Raj and 23 others vs State of HP. Date of decision 29-11-2013	Fitter Grade-II (Class-III)	17-11-2013	1994	considered and rejected for Petitioner No. 2, Sh. Om Prakash being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
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Shimla Division. No.I HP.PWD., Shimla.

1	2	3	4	5	6
1	CWP No. 164/2014-Sh. Lachmi V/s State of H.P. Date of decision 07.01.2014	Beldars (Class-IV)	29.12.2013	1993	considered and rejected having already received work charge status w.e.f. 01-01-2003 under Mool Raj regularization policy. Hence not entitled for parity under Rakesh verdict.

SE, 6th Circle, Kullu

Udaypur Division, Kullu .

1	CWP No. 8459/2013 titled Chhering Aangchu vs state of HP . Date of decision 08-11-2013	Work Inspector (Class-III)	29-09-2013	1994	considered and rejected being Class-III category whose work charge status abolished on 01-04-2001 and converted into regular post.
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Kullu Division, No. II HP.PWD., Kullu .

1	CWP No. 48/2014-Sh. Rewat Ram & 6 ors vs State of HP. Date of decision 03.01.2014	Masson Grade-II Though Class-IV employee but engaged w.e.f. 1998	22-12-2013	1994 & 1998	considered and rejected for Petitioner No. 5, Sh. Jeet Ram Petinoer No. 6, Tek Chand as work charge status in Class-III & Class-IV abolished on 01-4-2001 and 19-8-2005 respectively.
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Kullu Division, No. II HP.PWD., Kullu .

	CWP No. 221/2014-Sh. Sher Singh & 4 ors. (Except Petitioner No. 1 & 4 other petitioners are class-IV workman) Date of decision 08.01.2014	Beldars (Class-IV)	08.01.2014	1998	considered and rejected for Petitioner No. 1, Sh. Sher Singh Petinoer No. 4, Sh. Geeta Devi as work charge status in Class-III & Class-IV abolished on 01-4-2001 and 19-8-2005
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SE, 8th Circle, Dharampur

Dharampur Division, HP.PWD., Dharampur .

1	CWP No. 9833/2013 - Sh. Balbir & ors. 118 Other. Date of decision 08.01.2014	Beldar, Mate Chowkidar and Helper	29.12.2013	1998	considered & rejected all 118 petitioners being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post
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SE, 10 th Circle, Bilaspur

Ghumarwin Division, HP.PWD., Ghumarwin .

1	2	3	4	5	6
1	CWP No. 165/2013 - Sh. Basu Dev & 6 Others. Date of decision 08.01.2014.	Beldar, Black Smith Class-III	29.12.2013	1992 & 1998 respectively	considered & rejected for Petitioner No. 5, Sh. Rajesh Kumar who have already granted work charge status w.e.f. 01-01-2002 under Mool Raj regularization policy, hence not entitled for parity under Rakesh Kumar verdict. And for Petitioner No. 7, Sh. Bishan Dass also considered and rejected being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.

Bilaspur Division No. II.

1	CWP No. 1846/2014 titled Sh. Chaman Lal and 2 others vs State of HP. Date of decision 26-3-2014	Work Inspector & Painter respectively Class-III	16-3-2014	1993 & 1994	considered & rejected for petitioner No. 2 namely Sh. Ala Ditta having already received work charge status w.e.f. 01-01-2003 under Mool Raj regularization policy, hence not entitled for parity under Rakesh Kumar. For Petitioner No. 3, namely Sh. Kuldeep Kumar also considered and rejected being Class-III whose work charge status abolished on 01-04-2001.
2	CWP No. 3805/2014 titled Sher Mohammad and 13 others vs state of HP. Date of decision 03-6-2014	Beldar & Masson Grade-II	06-03-2014	1994 & 1999	considered & rejected for Petitioner No. 10, Sh. Renchu Ram being Class-III category whose work charge status abolished on 01-4-2001. And for Petitioner No. 14, Sh. Dharam Chand also considered and rejected being Class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post

SE, 11th Circle, Rampur .

Kalpa Division , HPPWD., Kalpa

1	2	3	4	5	6
1	CWP No. 2790/2012 titled Sh. Laxman Khalko and 7 others. (Except Petitioner No. 1 namely Sh. Laxman Khalko all other Petitioners at Sr. No. 2 to 7 are serving in Class-IV category). Date of decision 27.04.2012	Masson Grade-II Class-III	27.04.2012	1995	considered & rejected for Petitioner No. 1, Sh. Laxman Khalko being class-III category whose work charge status abolished on 01-4-2002 and converted into regular post.
	Kalpa Division , HPPWD., Kalpa				
1	CWP No. 9767/2014-Sh. Man Chand Vs State of H.P. Date of decision 04.01.2014 .	Masson Grade-II Class-III	04.01.2014	1995	considered & rejected being class-III category whose work charge category after 01-4-2001 abolished and converted into regular post
12th Circle Nahan, HPPWD					
Rajgarh Division , HPPWD					
1	CWP NO. 339/2014 titled Anil Kumar and 4 others vs state of HP. Date of Decision 04-3-2014	18-12-2013	Beldar	1998 & 1999	considered & rejected for Petitioner No. 3, Sh. Chaman Lal and Petitioner No. 5, Sh. Keshav Ram being in continuous engagement since year, 1998 & 1999 and in class-IVcategory work charge status abolished on 19-8-2005 and converted into regular post
SE, N.H Circle, Shahpur .					
N.H. Division., HP.PWD., Hamirpur.					
1	CWP No. 9896/2013-Sh. Surendr Kumar and 11 others Vs State of H.P. Date of decision 05.03.2014.	Beldar Class-IV	08.12.2013	1998 and 1999	considered & rejected being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post

1	2	3	4	5	6
2	CWP No. 1474/2014 - Sh. Balbir & 22 other vs State of HP. Date of decision 27.03.2014. All petitioners engaged since 1998 onward	Beldars, Mates Chowkidars and Helpers	27.03.2014	1998,1999 and 2000	considered & rejected being Class-IV category whose work charge status abolished on 19.08.2005 and converted into regular post
N.H. Division., HP.PWD., Jogindernagar .					
1	CWP No. 2217/2014-Sh. Narender Singh Vs State of H.P. Date of decision 07.04.2014 .	Junior Engineer(Class-III)	16.03.2014	1996	considered & rejected being class-III category whose work charge category after 01-4-2001 abolished and converted into regular post
SE, N.H Circle, Shimla.					
N.H. Division., HP.PWD., Rampur .					
1	CWP No. 847/2013-Sh. Radhe Shyam & 4 others Vs State of H.P. Date of decision 04.04.2013.	Beldars Class-IV	04.04.2013	1998 and 1999 respectively	considered & rejected for Petitioner No. 1, Sh. Radhe Shyam Petitioner No.2, Sh. Ravinder, Petitioner No. 3, Sh. Sunny, Petitioner No. 4, Sh. Manoj (Expired) Petitioner No. 5, Vishwanath being class- IV category whose work charge status after 19.08.2005 abolished and converted into regular post.
2	CWP No. 322/2014 titled Puran Chand and 5 others vs State of HP. Date of decision 09-1-2014	Masson Grade-II, and Driver Class-IV	29-12-2013	1995	Considered and rejected for Petitioner No. 2, Sh. Karam Chand , Petitioner No. 3, Sh. Dayal Chand being Class-III category whose work charge status abolished on 01-04-2001 and converted into regular status. But Petitioner No. 5, Sh. Jaswinder Singh being not working with HPPWD (as he is working with Chief Electrical Inspector, Shimla)and Class-III category as such rejected.
N. H. Shimla/ ShimlaDivision., No.III HP.PWD., N. H. Shimla/ ShimlaDivision.,					

1	2	3	4	5	6
1	CWP No. 3965/2014-Sh. Amar Singh and 1 other vs state of HP. Date of Decision 01-01-2014.	Beldars (Class-IV)	25.05.2014	1999	considered & rejected for Petitioner No. 1, Sh. Amar Singh, Petitioner No. 2, Smt. Narbada Chauhan being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post
SE 14 th Circle, Rrohru .					
Rrohru Division., HP.PWD., Rrohru.					
1	CWP No .4444/2014-Sh. Shishi Ram and 19 others Vs State of H.P. Date of decision 07.08.2013	Beldar, Mate Chowkidar and Helper	09..06.2013	1998 and 2003 respectively	considered & rejected for Petitioner No. 7, Sh. Jodh Ram Petitioner No. 18, Sh. Sundlu Devi being class-IV category whose work charge status abolished on 19-8-2005 and converted into regular post.
2	CWP No. 4466/2013 titled Hukum Chand & 19 others vs State of HP. (Except Petitioner No. 19 all other petitioners are working in Class-IV category)Date of decision 07-8-2013	Masson-Gr.-II	06-09-2013	1995	Considered and rejected for Petitioner No. 19 namely Sh. Kirpa Ram being Class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
Dodrakwar Division., HP.PWD., Dodrakwar .					
1	CWP No .4488/2013-Sh. Narender Kumar and 19 others Vs State of H.P. Date of decision 07.08.2013.	Work Inspector and Mason Gr-II	09.06.2013	1994.1995 and 1996	considered & rejected for Petitioner No. 1, Sh. Narender Kumar Petitioner No. 6, Sh. Birbal being class-III category whose work charge status abolished on 01-4-2001 and converted into regular post
Division chopal, HPPWD					

1	2	3	4	5	6
1	CWP No. 3819/2012-Sh. Dhoom Singh & 19 ors. (Except Petitioner No. 20 being Class-III other 19 are in Class-IV category). Date of decision 11.06.2012	Beldar, Mate Chowkidar Cleaner and Helper (Class-IV)	06-11-2012	1994 ,1995 and 1996	Considered and allowed for Petitioner No. 20, Sh. Durgu being Class-III category whose work charge status abolished on 01-04-2001 and converted into regular post.
S. E, Jaginderagar Circle, HP.PWD Jaginderagar .					
Mandi Division No.I HP.PWD.,at Drang .					
1	CWP No . 9748/2013-Sh. Yoginder Pal Vs State of H.P. Date of decision 04.01.2014	Beldar	02.12.2013	1999	considered & rejected being class-IV category whose work charge status abolished on 19.08.2005 and converted into regular post
2	CWP No . 8369/2014-Sh. Prem Singh Vs State of H.P. Date of decision 01.11.2013	Work Inspector Class-III	01.11.2013	1990	considered & rejected having already received work charge status w.e.f. 01-01-2000 under Mool Raj regularization policy. Hence not entitled for parity under Rakesh Verdict.
Balakrupi Division HP.PWD., Balakrupi .					
1	CWP No . 2099/2014-Sh. Joginder Singh Vs State of H.P. Date of decision 11.01.2014	J.C.B Operator Class-III	16.02.2014	2000	considered & rejected being class-III category whose work charge status after 01-4-2001 abolished and converted into regular post.
Mandi Division No.I HP.PWD.,at Drang .					
2	CWP No . 887/2014-Sh. Sher Singh Vs State of H.P. Date of decision 25.04.2014	Black Class-III	25.04..2014	1995	considered & rejected being class-III category whose work charge status after 01-4-2001 abolished and converted into regular post.
SE, Electrical /4th Circle, Shimla .					
Electrical Division No.I , Shimla Division. No.III, and Rural Divn Dhamsi HP.PWD., Shimla, Rural Dhamsi and Electrical .					

1	2	3	4	5	6
1	CWP NO. 9274/2013 titled Rakesh Kumar and 15 others vs state of HP. Date of Decision 28.11.2013 .	Forman (Electrical)Grade-I Class-III	17.11.2013	1996	considered and rejected for Petitioner No. 1 namely Sh. Rakesh Kumar being Class-III , whose work charge status abolished on 01-04-2001 and converted into regular posts.
SE, Mechanical Circle, HP.PWD., Dhalli .					
Chpoal Mechanicai and Rohru and Theog Division. HP.PWD., Chpoal Mechanicai and Rohru and Theog					
1	CWP No 101./2014-Sh.Bhag Mal & ors. 55 Nos. Other Petitioner. Date of decision 04.01.2014	Store Clerk, Dozer Driver, Work Inspector Class-III	29-12-2013	1994, 1995 and 1996	considered & rejected for Petitioner No. 4, Smt. Asha Devi Petitioner No. 15, Sh. Ramesh Chand Petitioner No. 24, Sh. Govind singh Petitioner NO. 43, Sh. Bhagat Ram being class-III category whose work charge status abolished on 01-4-2001 and converted into regular post.
Division Nirmand, HPPWD					
1	CWP NO. 607/2014 Naresh Kumar and 23 others vs State of HP . Date of Decision 18-3-2014	Painter, Work Inspector, Junior Engineer Masson Grade-II	18-3-2014	1994, & 1999	considered & rejected for Petitioner No. 2, Sh. Bir Singh, Petitioner No. 4, Sh. Umesh Chand, Petitioner No. 7, Sh. Krishan Chand Petitioner No. 8, Sh. Man Singh being Class-III category. whose work charge status abolished on 01-4-2001 and converted into regular post.

Note: The process of individual consideration in the petition in terms of directions passed by Hon'ble Court is continuing. However there are numerous cases/files still left to be considered which shall also be decided very shortly within two weeks as per the guidelines Para a-f and shall also be placed in the corrigendum of this Annexure as the case may be.

**Engineer-in-Chief
HP.PWD Nirman Bhawan
Nigam Vihar Shimla -2**

ANNEXURE-"C"

LIST OF CASES WORKMEN WITH (NEPALI ORIGIN) WHO ARE ALLOWED WORK CHARGE STATUS AS PER JUDGMENT DATED 28-7-2010 PASSED INC WP NO. 2735/2010 TITLED RAKESH KUMAR VS STATE OF HP AND OTHERS UPON DISMISSAL OF SLP NO.2735/2010 TITLED STATE OF HP AND OTHERS VS RAKESH KUMAR AN OTHERS DATED 15-1-2015.

Sr. NO.	Title of the case/Name of petitioner(s) Divn./Circle.	Date of filing of CWP	In Class-IV to which petitioner belongs such as Beldar, Chowkidar, sweeper, cleaner, Mali, Mate, T- Mate, Catpenter Grade-IV.	Year of continuous engagement on daily wage basis	Date of entitlement of work charge status	Date of actual entitlement of arrears.	Remarks
1	2	3	4	5	6	7	8
SE, 4th Circle, Shimla							
Shimla Rural Division, HP.PWD., Dhambi .							
1	CWP No. 5514/2014-Sh. Tikka Ram Vs State of H.P. Date of decision 11.08.2014	20.07.2014	Class-IV Mate	1994	01.01.2002	20.07.2011	Considered and allowed
Shimla Rural Division, HP.PWD., Dhambi .							
1	CWP No. 532/2014-Sh. Tek Chand Vs State of H.P. Date of decision 23.02.2014	04.01.2015	Class-IV Helper	1996	01.01.2004	04.01.2012	Considered and allowed
Shimla Division. No.I HP.PWD., Shimla .							
1	CWP No. 1531/2015-Sh. Jeet Bahadur Vs State of H.P. Date of decision 03.03.2015	03.03.2015	Class-IV Mali	1996	01.01.2004	03.03.2012	Considered and allowed
SE, 7th Circle, Dalhousie							
Salooni Division, HP.PWD., Salooni.							
1	CWP No. 4053/2014-Sh. Puran Bahadur Vs State of H.P. Date of decision 17.06.2014	17-6-2014	Beldar Class-IV	1995	01.01.2003	17.06.2011	Considered and allowed

Note: The process of individual consideration in the petition in terms of directions passed by Hon'ble Court is continuing. However there are numerous cases/files still left to be considered which shall also be decided very shortly within two weeks as per the guidelines Para a-f and shall also be placed in the corrigendum of this Annexure as the case may be.

**-SD-
Engineer-in-Chief
HP.PWD Nirman Bhawan
Nigam Vihar Shimla -2**

ANNEXURE-"D"					
LIST OF CASES (NEPALI ORIGIN) ENGAGED W.E.F YEAR, 1994 to 1997 ONWARDS WHICH ARE ALLOWED WORK CHARGE STATUS AS PER JUDGMENT DATED 28-7-2010 PASSED INC WP NO. 2735/2010 TITLED RAKESH KUMAR VS STATE OF HP AND OTHERS UPON DISMISSAL OF SLP NO. 8830-8868/2011 TITLED STATE OF HP AND OTHERS VS RAKESH KUMAR AN OTHERS DATED 15.01.2015.					
Sr. NO.	Title of the case/Name of petitioner(s) Divn./Circle.	Class to which belong (Class-III & Class-IV)	Date of filing of CWP	Year of continuous engage- ment on daily wage basis	Remarks
1	2	3	4	5	6
SE 14 th Circle, Rohru .					
Solan / Nalagarh .					
Solan / Nalagarh Division, HP.PWD.					
1	CWP No. 1570/2015-Smt. Kalu Devi Vs State of H.P. Date of decision 07.03.2014.	Beldar Class-Iv	04.03.2015	1997	considered and rejected for petitioner namely Smt. Kalu Devi as R & P Rules in Class-IV category providing work charge / regularization to only citizen of India became applicable w.e.f. 03-7-2004 and petitioner did not complete 8 years continuous service on this date. Hence as per Shiv kumari decision work charge status is not maintainable.

Note: The process of individual consideration in the petition in terms of directions passed by Hon'ble Court is continuing. However there are numerous cases/files still left to be considered which shall also be decided very shortly within two weeks as per the guidelines Para a-f and shall also be placed in the corrigendum of this Annexure as the case may be.

**'-SD-
Engineer-in-Chief
HP.PWD Nirman Bhawan
Nigam Vihar Shimla -2**