



GAHC030000192026



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4/2026

Smt. Vanlalfeli and 20 Ors.
D/o Zaikunga R/o Chanmari West, Aizawl, Mizoram

2: Smt. S. Ngurchhuanthangi

3: Smt. Mary Malsawmkimi

4: Smt. C. Vanlalkhawpuimawii

5: Smt. Lalramthari

6: Miss B. Lalremmawii

7: Smt. Florence Lalthanzuali

8: Miss Vanlaldingchhuaki

9: Smt. Lalchhanhimi

10: Smt. F. Laltlangmawii

11: Smt. C. Rothangpuui

12: Smt. Laldusaki



13: Smt. Laltanpuii

14: Smt. Lalengzami Fanai

15: Miss Lalfakawmi Fanai

16: Miss Laldinsangi Ralte

17: Smt. K. Lalawmpuii

18: Smt. R. Lalruatkimi

19: Smt. Laldingliani Sailo

20: Smt. Lalrintluangi

21: Smt. Malsawmdawngkim

VERSUS

The State of Mizoram r/b Chief Secy. to the Govt. of Mizoram and 3 Ors.
New Secretariat Complex, Aizawl

2:The Secy. to the Govt. of Mizoram
Health and Family Welfare Dept.

3:The Principal Director
Health and Family Welfare Dept.
Govt. of Mizoram

4:The Principal Secretary
Finance Dept. (PRU)
Govt. of Mizora

Advocate for the Petitioner : Ms Valentina Laldinpuii



Advocate for the Respondent : Addl. AG/GA, Mizoram

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER

23.02.2026

Heard Ms. Valentina Laldinpuii, learned counsel for the petitioners. Also heard Ms. Vanneihsiami, learned Government Advocate for the State respondents.

2. The instant writ petition is filed for the issuance of a direction to the respondents to pay arrear in increments due to the petitioners in terms of the Office Memorandum dated 15.01.2010 issued by the Government of India, Ministry of Health & Family Welfare, Department of Health and the Fundamental Rules under FR 27(10)(2).

3. Ms. Valentina Laldinpuii, learned counsel for the petitioners submits that the petitioners are nurses who were recruited/appointed for different posts by the respondents and thereafter, the petitioners have also possessed educational qualifications which were not required to be possessed for their respective posts during their initial recruitment. The learned counsel led this court to the table enclosed showing the posts and dates on which respective petitioners were appointed and confirmed with their additional educational qualifications.



TABLE I : Petitioners recruited to the post of Staff Nurse

Sl. No.	Petitioner Sl. No.	Name	Qualification	Date of Appointment	Date of Regularization
1	1	Vanlalfeli	GNM (I year Diploma in Coronary Care)	05.09.1991	22.11.1995
2	2	Ngurchhuanthangi	GNM (10 months Diploma in Neonatal Nursing)	05.09.1991	22.11.1995
3	3	Mary Malsawmkimi	Post Basic B.Sc (Nursing)	05.09.991	03.10.2017
4	4	C. Vanlalkhawpuimawii	Post Basic B.Sc (Nursing)	13.03.2015	03.10.2017
5	5	Lalramthari	M.Sc (Nursing)	13.09.2019	14.09.2021
6	6	B. Lalremmawii	B.Sc (Nursing)	13.09.2019	14.09.2021

TABLE II : Petitioners recruited to the post of Staff Nurse and confirmed to the post of Tutor

Sl. No.	Petitioner Sl. No.	Name	Qualification	Date of Appointment as Staff Nurse	Date of Regularization as Tutor
1	7	Florence Lalthanzuali	B. Sc (Nursing)	30.04.2008	01.02.2017
2	8	Vanlaldingchhuaki	B. Sc (Nursing)	30.05.2018	05.02.2022

TABLE III: Petitioners recruited to the post of Tutor



Sl. No	Petitioner Sl No.	Name	Qualification	Date of Appointment	Date of Regularization
1	9	Lalchhanhimi	M.Sc (Nursing)	18.03.1996	03.11.2000
2	10	F. Lalthangmawii	M.Sc (Nursing)	11.08.1997	23.07.2001
3	11	C. Rothangpuii	M.Sc (Nursing)	11.08.1997	23.07.2001
4	12	Lalduhsaki	M.Sc (Nursing)	11.08.1997	13.11.2000
5	13	Laltanpuii	M.Sc (Nursing)	04.01.2000	28.04.2003
6	14	Lalengzami Fanai	M.Sc (Nursing)	04.01.2000	28.04.2003
7	15	Lalfakawmi Fanai	M.Sc (Nursing)	26.10.2009	12.01.2023
8	16	Laldinsangi Ralte	M.Sc (Nursing)	26.10.2009	23.01.2022
9	17	K. Lalawmpuii	M.Sc (Nursing)	26.10.2009	23.01.2022
10	18	R. Lalruatkimi	M.Sc (Nursing)	12.06.2014	01.02.2017
11	19	Laldingliani Sailo	M.Sc (Nursing)	12.06.2014	01.02.2017
12	20	Lalrintluangi	M.Sc (Nursing)	12.06.2014	01.02.2017
13	21	Malsawmdawngkimi	M.Sc (Nursing)	12.06.2014	01.02.2017

4. The learned counsel for the petitioners submitted that since the petitioners have possessed the additional qualifications which are not pre-requisite as a condition to their employment to their respective posts they may be granted the increment entitled to them as per the Office Memorandum dated 15.01.2010. She further submitted that a Co-ordinate Bench of this Court in WP(C) No. 100/2014 (*F. Chhunghnemi & 3 Ors. Vs. State of Mizoram*), WP(C) No. 73/2020 (*Lalhriatchhungi & 31 Ors. Vs. State of Mizoram*), WP(C) No. 75/2020 (*H. Laldinliani & 2 Ors. Vs. State of Mizoram*) and this court in WP(C) No. 134/2024 (*Lalringngheti Pachuau & Anr. Vs. State of Mizoram*) have passed orders granting increments based on the Office Memorandum dated 15.01.2010 to similarly situated persons and a similar order may therefore be passed to the present petitioners granting them increments as per the said OM.

5. Ms. Vanneihsiami, learned Government Advocate, in all fairness, submits that the instant case of the petitioners appeared to be covered by the decision



of a Co-ordinate Bench of this Court in WP(C) No. 100/2014 (*F. Chhunghnemi & 3 Ors. Vs. State of Mizoram*), WP(C) No. 73/2020 (*Lalhriatchhungi & 31 Ors. Vs. State of Mizoram*), WP(C) No. 75/2020 (*H. Laldinliani & 2 Ors. Vs. State of Mizoram*) and this court in WP(C) No. 134/2024 (*Lalringngheti Pachuau & Anr. Vs. State of Mizoram*).

6. In view of the above submissions, this court has perused the OM dated 15.01.2010 issued by the Government of India, Ministry of Health & Family Welfare, Department of Health wherein it is stated as below:-

"The undersigned is directed to say that vide this Ministry's O.M.No. Z.28016/8/1987-PMS, dated 23rd March, 1988, the Nursing Staff working in the Central Government Hospitals/Institution under the Ministry of Health and Family Welfare and other Ministries/Departments were sanctioned additional increments (non absorable) for attaining additional qualifications to the extent indicated below:

(a) One increment to the Nursing Staff holding the following Posts Certificate Diploma of 10 months duration or any other 10 months Diploma Course designed and approved by the Indian Nursing Council from time to time:-

- (i) Diploma in Nursing Education and Nursing Administration;*
- (ii) Diploma in Psychiatric Nursing;*
- (iii) Diploma in Pediatric Nursing;*
- (iv) Diploma in Public Health Nursing;*

(b). Two increments to the Nursing Staff possessing the following qualifications:-

- (i) B.Sc (Hons.)/B.Sc/ Post Basic B.Sc/ Post Certificate B.Sc in Nursing*
- (ii) Post graduate Degree in Nursing, i.e. M.SC. (Nursing)...*

2. The above benefit is effective from:

(i) The date of appointment to those who were recruited after 01-10-1986 and possessed these qualifications at the time of appointment...



4. The grant of the aforesaid increments is subject to the condition that the concerned Nursing staff is not required to possess the qualification, for which the increment is claimed, as a condition of employment and that they have not been allowed a higher initial pay on account of the said qualifications prior to/on/or after 01-10-1986"

7. This court has also perused the judgment and order of the Co-ordinate Bench of this Court in WP(C) No. 100/2014, WP(C) No. 73/2020, WP(C) No. 75/2020 and this court in WP(C) No. 134/2024 and finds that the petitioners in the present case are similarly situated with those of the petitioners in the above cited writ petitions and the present case is squarely covered by the above cited cases.

8. Accordingly, this court finds it fit to dispose of the instant writ petition with a similar direction as passed by the Co-ordinate Bench of this Court, that the respondent authorities should examine the claim of the petitioners in light of the OM dated 15.01.2010 and the benefit of increments as laid down in the said provisions should be granted to the petitioners, if it is found that the petitioners are entitled to the said increments in terms of the OM dated 15.01.2010 and the Fundamental Rules under FR 27(10)(2). This court also find it appropriate to direct that the entire exercise is to be completed within a period of 3 (three) months from the date of receipt of a certified true copy of this order.

9. The instant WP(C) No. 4/2026 thus stands disposed of with the above directions.

JUDGE

Comparing Assistant