No. EDN-HE(1)B(4)01/2026-Comp.Apptt.(Misc)
Directorate of Higher Education
Himachal Pradesh Shimla-1

To

All the Deputy Directors Higher Education
in Himachal Pradesh.

Dated: Shimla-171001, the **18, February, 2026**

Subject: - Regarding strict compliance of Finance Department OM dated 22.08.2022 for providing employment on compassionate grounds.

It has come to the notice of undersigned that several cases pertaining to providing employment on compassionate grounds are being forwarded to this office without proper examination/scrutiny at your level, despite the fact that the Department has already decided/rejected such cases earlier.

In this regard, your kind attention is invited to the instructions contained in the Finance Department Office Memorandum dated 22.08.2022 (copy enclosed), wherein it is clearly directed that if a case of compassionate employment has already been decided/rejected, it may not be appropriate to consider the case afresh. These cases who have already rejected/decided not only contravenes the aforesaid instructions but also leads to unnecessary administrative correspondence, duplication of efforts, and delays in disposal of genuine cases.

Therefore, you are hereby directed, to examine/scrutinize all proposals thoroughly as per the Finance Department OM 07.03.2019 and subsequent amendments from time to time at your level before submission.

Non-compliance with these directions will be viewed seriously and may attract appropriate administrative action.

Encls. As above.

(Dr. Amarjeet K. Sharma)
Director Higher Education
Himachal Pradesh Shimla-1

Endst. No. Even Dated: Shimla-171001 the **18, February, 2026**
Copy forwarded for information and necessary action to: -

1. The Secretary (Education) to the Govt. of Himachal Pradesh Shimla-2.
2. The Director School Education, Himachal Pradesh, Shimla-1.
3. All the Principal Govt./Skt. Colleges in Himachal Pradesh.
4. In-charge, IT Cell, DHE, HP to upload the same on departmental website.
5. Guard file.

शिक्षा निदेशालय उच्चतर हि0प्र0
18 FEB 2026
शिमला–1

Director Higher Education
Himachal Pradesh Shimla-1
E-mail: dhe-sml-hp@gov.in
Tel. No. 0177-2653120

Government of Himachal Pradesh
Finance Department
(Expenditure Control - II)

No. Fin-F-(A)-16-1/2013-I Dated: Shimla - 171 002, the 22.08.2022

OFFICE MEMORANDUM

Subject:- 'Compassionate Employment' - Clarification on already rejected case(s).

1. This Department is in receipt of some proposal(s) from Departments seeking clarification whether the compassionate employment case(s) already rejected on the basis of high income or some other reason(s) at a particular time of their consideration can be re-considered/reviewed.

2. Attention of the Departments is invited to Para-17 (f) of the Policy dated 07.03.2019 which reads as under:-

> "The Supreme Court in its judgment dated 05.04.2011 in Civil Appeal No. 2206 of 2006 filed by Local Administration Department vs. M. Selvanayagam @ Kumaravelu has observed that "an appointment made many years after the death of the employee or without due consideration of the financial resources available to his/her dependents and the financial deprivation caused to the dependents as a result of his death , simply because the claimant happened to be one of the dependents of the deceased employee would be directly in conflict with Articles 14 & 16 of the Constitution and hence, quite bad and illegal. In dealing with cases of compassionate appointment, it is imperative to keep this vital aspect in mind".
>
> Further, the Para-17 (g) of the policy dated 07.03.2019 also refers to the Apex Court Judgment in Civil Appeal No. 988 of 2019 (Arising out of SLP (C) No. 7079 of 2016) titled State of Himachal Pradesh & Anr. versus Shashi Kumar.

..2/..

In this case of Shashi Kumar Vs. State of H.P. the Apex Court had observed as under:-

"We see no reason or purpose in now directing the State to reconsider its decision in the case of the respondent which would only result in another round of fruitless litigation. In our view, the respondent is debarred from seeking compassionate appointment by the delay as well as by the lapse of time which has taken place."

Since this particular case stands decided as per the Rules prevalent at that particular time, such persons may not be considered under the policy, and re-considering the appointment afresh would be in conflict with Articles 14 & 16 of the Constitution and the principles of merit in appointment to public services.

Further, as per the Supreme Court decision in the case of State of HP Vs. Sanjay Kumar SLP No. 1709/2015 eligibility of a candidate for compassionate appointment must be considered with regard to the income limits fixed at the time of such consideration and not on the date on which the application is made. The income criterion is enhanced prospectively unless provided otherwise.

3. In view of the aforesaid Supreme Court ruling(s), the Departments may, take a decision at their level keeping in view the income criteria at the time when the indigency was determined and if a case is already decided/rejected, it may not be appropriate to consider the case afresh.

4. This instruction may be brought to the notice of all concerned for information and compliance.

5. This Office Memorandum/instruction may also be seen on www.himachal.nic.in/finance under the link "Expenditure."

[PRABODH SAXENA, IAS],
Additional Chief Secretary (Finance) to the
Government of Himachal Pradesh, SHIMLA - 2.

To

All the Administrative Secretaries to the
Government of Himachal Pradesh, SHIMLA -2.

...3/...

Endst. No. Fin-F-(A)-(16)-1/2013 Dated: 22.08.2022

1. The Secretary to Governor, H.P., Shimla -2.
2. The Divisional Commissioner(s), Shimla/Kangra/Mandi.
3. The Secretary, H. P. Vidhan Sabha, Shimla - 4.
4. All Heads of Departments in Himachal Pradesh.
5. The Secretary, H. P. Public Service Commission, Shimla -2.
6. The Secretary, H. P. Staff Selection Commissin, Hamirpur.
7. The Registrar General, H. P. High Court, Shimla.
8. The Secretaries/Chairman/Managing Directors/Registrar of the Public Sector Undertakings/Autonomous Bodies and Boards/Corporations etc. in Himachal Pradesh.
9. 100 Spare Copies.

[ROHIT JAMWAL, IAS]
Special Secretary (Finance) to the
Government of Himachal Pradesh, SHIMLA - 2.