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No. Fin(Pen)A(3)-2/2025
Government of Himachal Pradesh
Finance(Pension) Department

Dated: Shimla-171002 the 18th November 2025

OFFICE MEMORANDUM

Subject: Regarding allowing the benefit of Supreme Court decision in Civil Appeal No.6309/2017 titled "Sunder Singh versus State of HP and others" to Class-IV employees and modification of instructions dated 14.02.2019, thereof.

The undersigned is directed to refer to this Department's letter No.Fin(Pen)A(3)-10/2016 dated 14.02.2019 on the subject cited above and to say that due to restoration of the CCS(Pension) Rules, 1972 (OPS), w.e.f. 01.04.2023, vide notification No Fin(Pen)A(3)-1/2023 dated 04.05.2023, the State Government has decided to extend the benefit of the judgement dated 08.03.2018 of the Hon'ble Apex Court rendered in Civil Appeal No.6309/2017 titled "Sunder Singh v/s State of H.P & others" to the Class-IV employees, irrespective of date of regularization of daily wage service, in Government departments. Accordingly, para-6 of the instructions dated 14.02.2019 are modified as under:-

(i) These instructions shall apply to the Class-IV employees governed by the CCS (Pension) Rules, 1972.

(ii) In view of the para-2 and para-6 of the judgment dated 08.03.2018 in Sunder Singh case (Civil appeal No. 6309/2017) a Class-IV employee whose daily wage service was duly regularized, as per the regularization policy of the Government, will be given weightage of 01 year qualifying service in lieu of 5 years daily wage service, for the purpose of grant of pension. The maximum 02 years qualifying service against 10 years daily wage service, will be considered for grant of pension under the CCS (Pension) Rules, 1972.

(iii) The pension to a Class-IV employee will be admissible only after completion of minimum qualifying service of 10 years, in terms of first line of para-6 of the Judgement dated 08.03.2018 in Civil

Appeal No.6309/2017. Meaning thereby, a Class-IV employee will be entitled to pension only if his regular service plus qualifying service in lieu of daily wage service (ratio 1:5) is 10 years.

(iv) The Class-IV employees, whose services were regularized on or after 15.05.2003 and who were covered under the National Pension System prior to restoration of OPS, will be entitled to pension subject to exercise of option for OPS and deposit of Government contribution alongwith dividend to the Government treasury under HOA as detailed in the O.M. No.Fin(Pen)A(3)-1/2023 dated 04.05.2023 read with OM of even number dated 17.07.2023.

(v) A Class-IV employee shall exercise option for OPS, if not exercised earlier, within 60 days from the date of issuance of these instructions, as per Standing Operating Procedures issued vide O.M. No. Fin(Pen)A(3)-1/2023 dated 04.05.2023. Therefore, the para-(ii) & para-(iii) of the Standard Operating Procedures contained in the Office Memorandum dated 04.05.2023 ibid shall be deemed relaxed to this extent, in respect of cases falling under these instructions.

(vi) The Class-IV employees, whose services were regularized prior to 15.05.2003, will be entitled to pension w.e.f. 01.01.2018 only.

(vii) The Class-IV employees, whose services were regularized on or after 15.05.2003 and who were covered under the National Pension System prior to restoration of OPS, will be entitled to pension w.e.f. 01.04.2023.

(viii) While sending the pension cases to the Principal Accountant General(A&E), HP for authorization, a certificate to the effect that the pension case of the Class-IV employee is covered under the judgment dated 08.03.2018 of the Hon'ble Supreme Court of India rendered in Civil Appeal No. 6309/2017 titled as 'Sunder Singh vs State of HP and others', may invariably be recorded in the Service Book of the employee.

2. These instructions may be brought to the notice of the subordinate offices under your control with directions to circulate the instructions amongst the Class-IV employees, who become eligible for pension under these instructions.

3. These instructions are available under pension tab at https://himachal.nic.in/finance/.

Yours faithfully,

Saurabh Jassal (IAS)
Special Secretary (Finance) to the
Government of Himachal Pradesh.

1. All the Administrative Departments,
   Government of Himachal Pradesh.

Endst. No. Fin(Pen)A(3)-2/2025 dated: Shimla 18th **November 2025**
Copy is forwarded to:

1. The Divisional Commissioner Shimla, Mandi and Kangra at Dharamshala Himachal Pradesh for information and similar necessary action.
2. All the Heads of Departments in Himachal Pradesh.
3. The Principal Accountant General (A&E), Himachal Pradesh Shimla-171003.
4. The Principal Accountant General (Audit), Himachal Pradesh Shimla.
5. Registrar General, HP High Court, Shimla.
6. All the Deputy Commissioners, Himachal Pradesh.
7. All District and Sessions Judges, Himachal Pradesh.
8. The Incharge, NIC, H.P. Sectt. Shimla-2 with the request to upload this OM alongwith its enclosures on the State Finance Department website.

Saurabh Jassal (IAS)
Special Secretary (Finance) to the
Government of Himachal Pradesh.

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Through web portal

Directorate of Higher Education
Himachal Pradesh

27 NOV 2025

शिमला–1

Endst. No. EDN –HE (2)B(10)6/2025/ (Pension) the November,2025

Copy to :-

1 The Principal Accountant General (A&E), Himachal Pradesh Shimla-3.
2 The Special Secretary (Finance) to the Govt. of HP , Shimla-2 w.r.t. OM No. Fin (Pen) A(3)-2/2025 dated 18. 11.2025 for information please.
3 All the Branch Officers (Internal) Directorate of Higher Education, H.P.
4 The Joint Controller (F&A) Directorate of Higher Education, HP.
5 All the Principals, Govt. Colleges , Sanskrit College , HP.
6 The Chief Librarian/ Centre/State Library Solan, HP.& all Distt. Libraries in HP.
7 The Group Commander, GP HQ Shimla-4.
8 All the Deputy Director Higher Education , Himachal Pradesh, with the directions to issue this instructions to all the DDOs under your control be directed to convey the Class-IV employees, who become eligible for pension under these instructions
9 All the Branch Supdt. (Internal) Directorate of Higher Education, H.P. for information & necessary action.
10 The Incharge IT Cell, Directorate of Hr. Education, H.P. with the remarks to upload the said order on the deptt. website.
11 Guard file.

Director Higher Education
Himachal Pradesh

IT Cell