

Himachal Pradesh University
(NAAC Accredited 'A' Grade University)
"General Administration Section"

01 2 DEC 2025

No.16-17/79-HPU(Genl.)-Vol.-VI

Dated: Shimla-5, the

NOTIFICATION

In continuation to this office notification of even number dated 31.10.2022, the Vice Chancellor is pleased to adopt the letter No. Fin-F-(A)-(11)-4-6/2002 dated 17.02.2025 (copy enclosed) regarding policy for providing 'Compassionate Employment to the eligible dependent(s) of the deceased Government employee(s)-Fresh Instruction(s) thereof issued by the Chief Secretary to the Government of Himachal Pradesh, Shimla-2 for its implementation in the University.

The Vice Chancellor is further pleased to adopt the Office Memorandum No. Fin-F-(F)-1-1/2025 dated 08.10.2025 (copy enclosed) regarding policy for providing 'Compassionate Employment' and delegation of Powers to department(s) for disposal of cases of compassionate appointments issued by the Principal Secretary (Finance) to the Government of Himachal Pradesh, Shimla-2 for its implementations in the University.


REGISTRAR

Endst. No. as above

Dated: Shimla-5, the 02 DEC 2025

Copy to:

1. The Dean of Studies/ DSW/Chief Warden/ HPU, Shimla-5
2. All the Deans of Faculty/ Dean-cum-Director, CDC/ Dean, Planning & Teacher's Matters, HPU, Shimla-5
3. All the Chairpersons/ Directors of the Teaching Departments, HPU, Shimla-5
4. The Director, ICDEOL/IQAC/UIT/MMTTC/PECC/PRC/ DIS/ AERC, Shimla-5/ UCBS/ UILS, Shimla-4 /HPU Regional Centre, Dharamshala, District Kangra H.P.
5. The Librarian, HPU, Shimla-5
6. The COE/ACOE/P&DO/FO/Chief Security Officer/Joint Controller, SAD/Incharge Health Centre/Public Relation Officer, HPU, Shimla-5
7. The Principal, HPU Department of Evening Studies, Shimla-1
8. All the Deputy/ Assistant Registrar HPU, Shimla-5
9. All the Branch/Section Officers, HPU, Shimla-5
10. The Supdt. (Creation/Regulation), HPU, Shimla-5
11. The Web Administrator, HPU, Shimla-5
12. The SPS/PS to VC/PVC/ Registrar, HPU, Shimla-5
13. Guard File.


REGISTRAR

No. Fin-F-(A)-(11)-4-6/2002
Government of Himachal Pradesh
Finance Department
(Expenditure Control-II)

H.P. University
Genl. Admn. Section,
By. No. 2840
Date 25-11-25

From

The Chief Secretary to the
Government of Himachal Pradesh, SHIMLA-02.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. The Secretary to Governor, H.P. SHIMLA-2.
3. The Secretary, H.P. Vidhan Sabha, SHIMLA-4.
4. The Registrar General, H.P. High Court, SHIMLA-2
5. All the Heads of Departments in H.P.

Dated Shimla-171 002, the

17th February, 2025.

Subject:- Policy for providing 'Compassionate Employment to the eligible dependent(s) of the deceased Government employee(s)' - Fresh instruction(s) thereof.

Sir/Madam,

1. On the above subject, I'm directed to reiterate that the State Government has framed a policy on 18.01.1990 for providing employment assistance on compassionate grounds to the dependent(s) of the Government servants who die while in service leaving their families in indigent circumstances. The main objective of the policy is to grant so as to relieve the family of Government servant from financial destitution which he/she had left behind in penury and without any means of livelihood. This has been amended from time to time. The Government in Finance Department has issued the latest 'Revised Policy Guidelines for providing Compassionate Employment to the eligible dependents of the deceased employee(s) of the State Government', on 07.03.2019.

2. As per the extant policy, the employment assistance on compassionate grounds is to be provided in deserving cases in order of priority only to widow or a son, or unmarried daughters (in case of unmarried Government servant, to father, mother, brother and unmarried sister), married daughter(s) having only daughters in the family of regular, contractual, daily waged deceased employee, employees who have been missing for the last 02 years and a Government servant

...21...

21/12/21
25-11-25
D.A. (Revision)

Government servant (Class-III & Class-IV) who retire on medical grounds under Rule-38 of CCS (Pension) Rules, 1972, provided the employee so retiring has not crossed the age of 45 years. These appointment(s) strictly speaking, not in accordance with the provision(s) of Article-14 & 16 of the Constitution of India, yet these are being provided on humanitarian grounds. The employment on compassionate grounds of Government servants, who die while in service or are retired on medical grounds, is not to be provided as a matter of right. It should be given only in deserving cases, where the family of deceased Government servants left in indigent circumstances, requiring immediate means of subsistence. Currently, the Administrative Secretary(s) are the competent authority to provide such appointment after satisfying themselves about the indigent circumstances of the family and fulfilment of all essential conditions.

3. For assessing the indigency of the family of the deceased employee, its financial status is to be taken into account for which total income of the family from all sources including family pension has to be seen, as per the judgement passed in Apex Court in CIVIL APPEAL NO. 988 OF 2019 (ARISING OUT OF SLP (C) No. 7079 of 2016 STATE OF HIMACHAL PRADESH & ANR. VERSUS SHASHI KUMAR. Also, it provides that such cases once settled at any relevant time of consideration, are not required to be re-considered afresh. Furthermore, 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.

4. While providing employment on compassionate grounds, relaxation from recruitment procedure [i.e. without the agency of H. P. Public Service Commission or H. P. Staff Selection Commission (H. P. Rajya Chayan Aayog) or Employment Exchange or any other approved method, as case may be] and ban of filling up of posts is already there for the purpose of making compassionate appointments. In a normal course, it has already been made crystal clear, vide Para-8(g) that no relaxation is permissible in 5% ceiling for making such appointment(s) since these are compassionate appointment(s) and any appointment in this category is at the cost of direct selection through competition. In exceptional cases, this ceiling may be exceeded only with prior approval of the Council of Ministers. No relaxation in time limit for submission of compassionate employment case(s) and in upper & lower age limit for employment is permissible as is evident from vide Para-7(2). However, genuine cases may be placed before the Cabinet for its decision. But no relaxation can be given in minimum education qualification and required

skills as per the R & P Rules of the post(s) for which he/she has applied for.

5. In the Execution Petition No. 391/2024 in CWP No. 8464/2022, the Hon'ble High Court of H.P. has specifically passed the direction(s) on 27.12.2024 that offer of appointment on compassionate basis be made to the incumbents as per their eligibility, in a transparent manner and those who have no influence in the system, also are offered appointment on compassionate basis as per their turn in accordance with the Policy.

6. You are, therefore, requested to kindly ensure strict compliance of the aforesaid instruction(s) positively, failing which entire responsibility will rest upon the Department/organization itself.

7. This letter/instruction may also be seen on www.himachal.nic.in/finance under the link "Expenditure".

[Rohit Jamwal, IAS]

Special Secretary (Finance) to the

Government of Himachal Pradesh, SHIMLA - 2.

Endst. No. As above. Dated Shimla-2, the

17.02.2025.

Copy of the above is forwarded to:-

1. All Chief Executive Officers/Managing Directors of H.P. Public Sector Undertakings/Boards/Corporations.
2. The Secretary to Lokayukta, H.P., SHIMLA - 2.
3. The Secretary, H.P. Public Service Commission, SHIMLA - 2.
4. The Secretary, H. P. Rajya Chayan Aayog, HAMIRPUR.
5. The Secretary, H.P. Electricity Regulatory Commission, Khalini, SHIMLA- 2.
6. The All the Deputy Commissioners in H.P.
7. The Registrars of all the Universities in H.P.
8. All the District Treasury Officers/Treasury Officers in Himachal Pradesh for information and similar necessary action.

[Rohit Jamwal, IAS]

Special Secretary (Finance-Exp.) to the

Government of Himachal Pradesh, SHIMLA - 2.

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

Admin Section.
2819
20/11/25

No. Fin-F-(F)-1-1/2025

Dated Shimla - 2, the

08.10.2025

OFFICE MEMORANDUM

Subject:- Policy for providing 'Compassionate Employment' and delegation of Powers to department(s) for disposal of cases of compassionate appointments.

1. A "Revised Policy for providing 'Compassionate Employment' and also delegation of Powers to department(s) for disposal" was framed/circulated vide this Department's OFFICE MEMORANDUM No. Fin-F-(A)-(16)-1/2013 dated 07.03.2019. With a view to make it more simplified & employee-friendly, a need has been considered imperative to amend concerned provision(s) in the wider public interest. Thus, in partial modification, the following Para(s) shall deem to have been amended from the date of issuance of this Office Memorandum below having prospective effect:-

SERIAL No.	EXISTING PARA(S) OF THE POLICY IBID	AMENDED PROVISION THEREIN
01.	<u>PARA-2-TO WHOM THE POLICY IS APPLICABLE</u> <u>PARA-4-POST(S) TO WHICH SUCH APPOINTMENT CAN BE MADE</u> <u>PARA-5-ELIGIBILITY</u>	a) The word 'Contractual employee' <u>wherever appearing in Para(s) 2, 4 & 5</u> shall be substituted by 'Job Trainee' as per the guidelines of the Department of Personnel; b) The Word 'Daily Waged Worker', <u>wherever appearing in Para(s) 2, 4 & 5,</u> shall also be replaced by a suitable formulation once the proposed 'Multi Task Workers'

210741
20.11.25
DA (Revision)

Policy for engagement of all Class-D employees instead on daily wage basis, is finalized by the Department of Personnel;

c) Compassionate employment can also be provided against the lowest rung post(s) of Class-III as 'Job Trainee' as per the guidelines of the Department of Personnel & Class-IV, as 'Multi Task Worker(s)', as per the guidelines of the Department of Personnel post(s) which require technical/professional qualifications and other pre-requisite(s) as per their Recruitment & Promotion Rule(s);

d) Class-III [Clerical] post/Clerk be replaced by Class-III [Junior Office Assistant (IT) post] post/ Junior Office Assistant (IT), wherever appearing in Para 5.

02. PARA-8-DETERMINATION/ AVAILABILITY OF VACANCIES

In case of non-availability of vacancy to appoint them under 5% quota meant for such appointment(s), it may deem to have been

		relaxed as a one time measure till 31.12.2025. It will also be deemed to be in relaxation of the provision of Para-9 of the Rules of Business of the Government of Himachal Pradesh, 1971 and the Finance Department's instruction(s) dated 24.11.2018.
03.	<u>PARA-11-PROCESSING OF APPLICATIONS</u>	Priority will be given for disposal of eligible compassionate employment case(s) of Widow(s) and Parentless applicant(s) - who were below the age of 45 years on the date of death of the deceased employee.
04.	<u>PARA-12-HOW TO ASSESS INDIGENCY</u>	Income ceiling for assessing indigency of the family of the deceased employee shall now be overall Rs. 3,00,000/- per annum per family without any Per Capita Income ceiling of the family till 31.12.2025.
05.	<u>PARA-17-IMPORTANT COURT JUDGEMENTS RELATING TO COMPASSIONATE APPOINTMENTS</u>	02 more judgements of the Apex Court passed in Sanjay Kumar case and N. C. Santhosh case upholding the "date of consideration" for considering the compassionate employment case(s) by the respective Administrative Department(s) as

appended below for compliance:-

i) The Hon'ble Supreme Court of India in its judgment vide Para-2 in Civil Appeal No. 2931 of 2019 (Arising out of SLP (C) No. 1709/2015) titled State of Himachal Pradesh & Anr versus Sanjay Kumar, has made it quite clear that:-
"We are of the considered view that the eligibility of a candidate for compassionate appointment must be considered with regard to the limits fixed at the time of such consideration and not on the date on which the application is made....."

ii) The Hon'ble Supreme Court of India in its judgment vide Para-20 in Civil Appeal No. 9280-9281 of 2014 titled N.C. Santhosh Vs. State of Karnataka & Ors., has made it quite clear that:-
"Applying the laws governing compassionate

(5) -..

appointment culled out from the above cited judgments, our opinion on the point at issue that the norms, prevailing on the date of consideration of the applications, should be the basis for consideration of claim for compassionate appointment. A dependent of a government employee, in the absence of any vested right accruing on the death of the government employee, can only demand consideration of his/her application. He is however disentitled to seek consideration in accordance with the norms as applicable, on the day of death of the government employee....."

2. While disposing off the case(s) seeking compassionate employment by the respective Administrative Department(s), this Department's OFFICE MEMORANDUM No. Fin-F-(A)-(16)-1/2013-I dated 22.08.2022 (Copy enclosed) be also followed.
3. The above amendment(s) may be brought to the notice all concerned for information and compliance in letter & spirit.
4. This Office Memorandum/instruction may also be seen on www.himachal.nic.in/finance under the link "Expenditure."

BY ORDER

Principal Secretary (Finance) to the
Government of Himachal Pradesh, SHIMLA - 2.

To


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

... 61 -..

Endst. No. Fin-F-(F)-1-1/2025 Dated:

08.10.2025

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. Rajya Chayan Ayog, 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.


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