

No. Fin(Pen)A(3)-1/2001  
Government of Himachal Pradesh  
Department of Finance (Pension)

Dated Shimla-171002, the-13<sup>th</sup>

## OFFICE MEMORANDUM

**Subject:** Counting of past service on submission of technical resignation on or after 15.5.2003 by employees governed by the Central Civil Services (Pension) Rules, 1972.

The various Departments/Autonomous Bodies have been seeking clarification from this Department whether the employees appointed on or before 14.5.2003, who were governed by old pension scheme under the Central Civil Services (Pension) Rules, 1972, will be eligible for counting of their past service under Rule 26(2) of the said rules or under the provisions of the Govt. of India, DP&AR's OM NO. 28/10/84-PU dated 29<sup>th</sup> August, 1984 as amended from time to time, adopted by the Himachal Pradesh Government for its employees vide Finance Department Office Memorandum No. Fin ( C ) A(3)-17/76-II dated 5<sup>th</sup> July, 1996, in the situation where such employees submit technical resignation, on or after 15.5.2003 to take up new appointment in the new Department/State Autonomous Body.

2. The matter has been considered in the Finance (Pension) Department and it is clarified as follow :

1) All the employees who entered into State Government service or in the service of an Autonomous Body set up by the State Government (satisfying the conditions laid down in para-4 of Government of India OM NO. 28/10/84-PU dated 29<sup>th</sup> August, 1984, adopted by the State Government vide Office Memorandum Office Memorandum No. Fin ( C ) A(3)-17/76-II dated 5<sup>th</sup> July, 1996), on or before 14.5.2003 and who were governed by the old pension scheme under Central Civil Services (Pension) Rules, 1972 will continue to be governed by the same pension scheme and same rules, for the purpose of counting of their past service under the said rules or under the Government of India OM NO. 28/10/84-PU dated 29<sup>th</sup> August, 1984, adopted by the State Government vide its Office Memorandum dated 5<sup>th</sup> July, 1996, as amended from time to time, if such employees submit technical resignation on or after 15.5.2003, to take up new

appointment in another Department of the State Government or an Autonomous Body set up by the State Government, in which the pension scheme under Central Civil Services (Pension) Rules, 1972 already exists for the employees who entered into service on or before 14.5.2003.

ii) The employees who entered into service on or before 14.5.2003 and who were governed by CPI scheme or any pension scheme of the Central or State Government, other than the pension scheme under the Central Civil Services (Pension) Rules, 1972, on submission of technical resignation to take up new appointment on or after 15-5-2003, cannot be allowed to join the old pension scheme under Central Civil Services (Pension) Rules, 1972 because entry to the said scheme ceased after 14.5.2003 and no new entry can be allowed in the pension scheme under the above Rules. However, such employees can seek pensionary / terminal benefits, from the previous Organization / Department, if admissible under the rules of that Organization / Department for the period of service rendered under that organization/Department.

iii) All the State Government employees who entered State Government service or the service of an Autonomous Body set up by the State Government of Himachal Pradesh, on or before 14.5.2003 and who were governed by the old pension scheme under the Central Civil Services (Pension) Rules, 1972 and who submit technical resignation on or after 15-05-2003, to take up new appointment under the Central / other State Government, will be eligible for grant of pro-rata pensionary benefits for the period of State Government or State Autonomous Body service, on the lines as provided in the Rule-37 of Central Civil Services Rule-1972 & related orders.

3. Para-3 (a) (ii) and 3 (b) (ii) of Government of India Office Memorandum No. 28/10/84-PU dated 29-08-1984 adopted by the State Government vide Office Memorandum No. Fin ( C ) A(3)-17/76-II dated 5<sup>th</sup> July, 1996 may be treated as deleted w.e.f. 15-05-2003. Further, the provisions of Government of India Office Memorandum No. 28/10/84-PU dated 29-08-1984 adopted by the State Government vide Office Memorandum No. 1 in ( C ) A(3)-

17/76-II dated 5<sup>th</sup> July, 1996 or any other related order shall, in so far as it provides for any of the matters contained in this Office Memorandum, cease to operate.

By Order

Principal Secretary (Finance) to the  
Government of Himachal Pradesh.

To

**All Administrative Department  
Government of Himachal Pradesh.**

Visit HIMACHAL WEBSITE, Address- <http://Himachal.nic.in>

No. Fin (Pen)A(3)-1/2001 Dated; Shimla-2, 13-Sept., 2006.

Copy forwarded to:-

1. Accountant General, H.P. Shimla-3.
2. The Secretary to Governor, Himachal Pradesh.
3. The Secretary, H.P Vidhan Sabha, Shimla-171004
4. Registrar General H.P. High Court, Shimla-171001.
5. The Commissioner (Revenue), H.P., Shimla-2./All Divisional Commissioners in H.P.
6. Principal Resident Commissioner, Himachal Pradesh, Himachal Bhawan, Sikandra Road, New Delhi.
7. All Heads of Departments in Himachal Pradesh.
8. The Secretary, H.P Public Service Commission, Shimla-171002.
9. Senior Deputy Accountant General (A&E), Himachal Pradesh Shimla-3.
10. The Secretary, H.P Subordinate Service Selection Board, Hamirpur.
11. The Secretary, H.P State Electricity Regulatory Commission -171002.
12. All Deputy Commissioners in Himachal Pradesh.
13. All District and Session Judges in Himachal Pradesh.
14. Director, H.P. Institute of Public Administrative, Mashobra, Shimla-12.
15. Deputy Commissioner, Relief & Rehabilitation, Beas Project I arth, Tehsil Nurpur, Distt. Kangra, Himachal Pradesh.
16. The Registrar, H.P Administrative Tribunal, Shimla-171002
17. The Controller, Printing & Stationary, Himachal Pradesh, Shimla-171005
18. All District Treasury Officers/ Treasury Officers of Sub- Treasuries in Himachal Pradesh.
19. All Joint Controllers (F&A)/Deputy Controllers (F&A)/ Assistant Controllers (F&A)/ Section Officer (F&A) under the Administrative control of T&A organization in Himachal Pradesh.
20. All Universities Corporations/ Boards and Public Undertaking in Himachal Pradesh.
21. Director Defence Estates, Ministry of Defence, 144/6 Panchkula, Haryana.
22. Cantonment Executive Officer, Jatogh(Shimla)/ Subathu(Solan)/ Kasauli (Solan)/ Yol Cantt. (Kangra) Bakloh (Chamba)/ Dalhousie (Chamba) Himachal Pradesh.

1306-B dated 20 July, 1996 or any other related order shall, in so far as it provides for any of the matters contained in this Office Memorandum, cease to operate.

By Order

Principal Secretary (Finance) to the Government of Himachal Pradesh.

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All Administrative Department  
Government of Himachal Pradesh  
Himachal Pradesh, Address- http://himachal.nic.in

No. Fin (Pn)A(3)-12001 Dated: Shimla-2, 23-sept., 2000.

Copy forwarded to:-

1. Accountant General, I.T. Shimla-3.
2. The Secretary to Government, Himachal Pradesh.
3. The Secretary, H.P. Jhansi Sahas, Shimla-171004.
4. Revenue General I.T. 11th Court Shimla-171001.
5. The Commissioner (Revenue), H.P., Shimla-2, All Divisions Commissioners in H.P.
6. Principal Revenue Commissioner, Himachal Pradesh, Himachal Highway, 22, 2nd Road, New Delhi.
7. All Heads of Departments in Himachal Pradesh.
8. The Secretary, I.T. Public Service Commission, Shimla-171002.
9. Senior Deputy Accountant General (A&E), Himachal Pradesh Shimla-3.
10. The Secretary, H.P. Subordinate Service Selection Board, Hamirpur.
11. The Secretary, I.T. State Electricity Regulatory Commission-171002.
12. All Deputy Commissioners in Himachal Pradesh.
13. All District and Session Judges in Himachal Pradesh.
14. Director, I.T. Institute of Public Administration, Mashobra, Shimla-17.
15. Deputy Commissioner, Relief & Rehabilitation, Bani Project I with Tehsil Jangar, Dist. Kangra, Himachal Pradesh.
16. The Revenue, I.T. Administrative Tribunal, Shimla-171001.
17. The Controller, Printing & Stationery, Himachal Pradesh, Shimla-171002.
18. All District Treasury Officers, Treasury Officers of Sub-Treasuries in Himachal Pradesh.
19. All Joint Controllers (T&A) Deputy Controllers (T&A) Assistant Controllers (T&A) Section Officer (T&A) under the Administrative Section of T&A, Government in Himachal Pradesh.
20. All Government Companies, Boards and Public Enterprises in Himachal Pradesh.
21. Director, District Bureau, Ministry of Defence, 1446 Faridkot, Jalandhar.
22. (a) Assistant Executive Officer (Jalandhar) Sub-Divisionary, Kasauli (b) Joint Controller (Kangra) District (Kangra) Jalandhar (Kangra) Himachal Pradesh.