

Add. Sir  
8-10-21  
21-0 (ESH)  
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8/10/21

**MOST URGENT**



No. Per (AP-B)-E(3)-17/2012-Part  
Government of Himachal Pradesh  
Department of Personnel

From

The Chief Secretary to the  
Government of Himachal Pradesh

To

1. All the Administrative Secretaries to the  
Government of Himachal Pradesh,  
Shimla-171002.
2. All the Heads of Departments  
in Himachal Pradesh

Dated Shimla-171002, the 06<sup>th</sup> October, 2021  
08/10

Subject **Instructions in compliance to orders passed in CWP  
No. 2862 of 2021-Vipender Kalta Vs. State of HP and  
CWP No. 4851/2021-titled as Sushil Kumar Vs State  
of HP.**

Madam/Sir,

I am directed to invite your attention to the judgements delivered on 20.07.2021 in case CWP No. 2862 of 2021-Vipender Kalta Vs. State of HP and orders dated 09.09.2021 in case CWP No. 4851/2021-titled as Sushil Kumar Vs State of HP [Judgements can be accessed on link [https://highcourt.hp.gov.in/viewojpdf/view.php?path=2021&fname=200100028622021\\_7.pdf&smflag=N](https://highcourt.hp.gov.in/viewojpdf/view.php?path=2021&fname=200100028622021_7.pdf&smflag=N) AND [https://highcourt.hp.gov.in/viewojpdf/view.php?path=021&fname=200100048512021\\_3.pdf&smflag=N](https://highcourt.hp.gov.in/viewojpdf/view.php?path=021&fname=200100048512021_3.pdf&smflag=N)]. In both the cases, Hon'ble High Court has expressed serious concern over recommendation(s) related to service matters of employees including transfer, promotion etc. by extra constitutional authorities which have no role in the functioning and business of the administration. All the Administrative Secretaries/ Heads of

*[Signature]*  
8/10/21

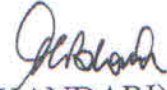
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Departments are requested to go through the above judgements and to ensure that such recommendations, if received, should not be taken on their face value and must be put up to competent authorities on merit and be dealt purely administratively. The Education Department has also issued separate instructions vide their letter No. EDN-A-Kha.(15)- 4/2018-L, dated 5<sup>th</sup> October, 2021.

2. These instructions may be brought to the notice of all Boards/ Corporations and other organizations/institutes also under your administrative control.

This issues with the approval of the Chief Secretary.

Yours faithfully,



(O.P. BHANDARI)

Joint Secretary (Personnel) to the  
Government of Himachal Pradesh  
Ph:0177-2880693

Endst No. As above

Dated Shimla-171002, the 6<sup>th</sup>/<sub>8<sup>th</sup></sub> October, 2021

Copy to Ld. Advocate General, Himachal Pradesh,  
Shimla w.r.t. their letter No. CWP 4851-2021 dated 5<sup>th</sup> October,  
2021 for information.



Joint Secretary (Personnel) to the  
Government of Himachal Pradesh 8.10.21