HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED
(A State Govt. undertaking)
Registered office Vidyut Bhawan, HPSEBL, Shimla-171004(H.P)
Number (CIN) U40109HP2009SGC031255
GST No. HPSEBL 02 AACCH4894EHZB
Telephone Number 0177-2803600, 2801675 (Office), 2658984(Fax)
Website address www.hpseb.com
Email cmd@hpseb.in

No. HPSEBL(SECTT)/R&E/Contract file/2026-27-52686-840 Dated:- 21-11-2026

To

1. All the Chief Engineers in HPSEBL(i/c MD BVPCL), Jogindernagar, District Mandi HP.
2. All the Deputy C.E./Superintending Engineers in HPSEBL.
3. All the Addl. S.E./ Senior Executive Engineers in HPSEBL.
4. Chief Account Officer F&A Wing HPSEBL Shimla.
5. All the Deputy/ Under Secretaries in Head Office.

Subject: **Implementation of the judgment dated 25.04.2026 passed by the Hon'ble High Court of Himachal Pradesh in CWP No. 3361 of 2025, titled Devinder Kumar & Others vs. State of Himachal Pradesh & Another, along with connected matters.**

Sir,

In continuation of this office letter No. HPSEBL(SECTT)/ R&E/Contract File/2026-27-52367-527 dated 19.11.2026 on the subject cited above, forwarding therewith a copy of the letter dated 06.11.2026 issued by the Department of Personnel, Government of Himachal Pradesh, containing guidelines for implementation of the judgment passed in the case titled *Devinder Kumar & Others vs. State of Himachal Pradesh & Another*, it is intimated that the Himachal Pradesh Recruitment and Conditions of Service of Government Employee Act, 2024, has been quashed by the Hon'ble High Court of Himachal Pradesh vide its judgment dated 25.04.2026 (Citation: 2026:HHC:13536) passed in CWP No. 3361 of 2025, along with connected matters.

The Special Leave Petition (SLP) No. 24885/2026 filed by the State Government before the Hon'ble Supreme Court of India against impugned judgment has also been dismissed vide order dated 29.07.2026. Consequently, the judgment dated 25.04.2026 remains undisturbed, including the quashing of the aforesaid Act and the consequential actions taken thereunder.

The relevant operative portion of the judgment, contained in Para 203, is reproduced below for ready reference:

> "Para 203: In view of quashing of the impugned Act, all consequential action, omission and commission of the respondents-State and its functionaries, based on the impugned Act, are declared illegal, unconstitutional and nullify, and resultantly orders/rejection/directions, withdrawal, denying benefits or proposing recovery of already granted reliefs, based on the impugned Act, in conflict with the mandate of the Court are also quashed and set aside and competent authority(ies) is directed to ensure extension of benefits to the employees in terms of judgments passed by the competent Courts, latest by three months from today by issuing appropriate orders, if so required, in consonance with the Constitutional mandate and verdict of the Court(s)."

In view of the above directions of the Hon'ble Court, the concerned authorities are required to ensure the extension of admissible benefits to the employees in terms of the judgments passed by the competent Courts. Further, with a view to ensuring uniform and comprehensive compliance with the aforesaid judgment, the Department of Personnel has prescribed the following Standard Operating Procedure (SOP):

The concerned Departments/Government entities shall, at their own level, identify the relevant judicial decisions and determine their applicability to the concerned petitioners, wherever applicable, for undertaking the following actions:

(i) Circulation of tentative seniority lists;
(ii) Finalization of seniority lists;
(iii) Holding of review/revised DPCs or fresh DPCs, as the case may be; and
(iv) Assessment of monetary benefits, if any, accruing from the date of acceptance/issuance of the DPC minutes by the competent authority.

The concerned authorities shall convene review/fresh DPCs, as the case may be, on the basis of the seniority lists determined in accordance with Para 1 above and following the prescribed procedure.

Where an incumbent has already been promoted but, consequent upon revision of seniority, is placed below other eligible incumbents, the earlier DPC in which such incumbent was considered for promotion shall be reviewed. Such incumbent shall await his/her turn for promotion in accordance with the revised seniority, subject to the availability of vacancies.

On the other hand, where the eligibility of an incumbent for promotion to the next higher post arises from an earlier date due to upward placement in the revised seniority after counting of contractual service, the following two eventualities may arise:

(a) Where such incumbent has already been considered and promoted from an earlier date without counting the contractual service, the promotion shall remain valid and effective from the date of actual assumption of charge of the promotional post.

(b) Where such incumbent is yet to be considered for promotion, a fresh DPC shall be convened and the promotion shall take effect prospectively, i.e. from the date of issuance of the promotion order or actual assumption of charge of the concerned post, as applicable under the prescribed procedure.

Since review/fresh DPCs are required to be conducted in all such cases, no supernumerary posts shall be created under any circumstances. Further, monetary benefits shall ordinarily be admissible on a notional basis, unless the Hon'ble Court has specifically directed or allowed the grant of actual monetary benefits from the date of eligibility.

Before issuance of final orders in the matter, approval of the Administrative Department shall have to be obtained.

The aforesaid instructions are required to be implemented in letter and spirit within the prescribed timeframe to ensure timely compliance with the judgment of the Hon'ble High Court and to avoid any adverse orders in contempt or execution proceedings instituted/pending before the Hon'ble Court against HPSEBL.

In view of the aforesaid instructions issued by the Government of Himachal Pradesh in compliance with the judgment passed by the Hon'ble High Court of Himachal Pradesh in *Devinder Kumar's case* and the judgment passed in CWP No. 2004 of 2017, titled *Taj Mohammad and Others vs. State of H.P. and Others*, and considering that similarly situated contractual employees of HPSEB Ltd. have also approached the Hon'ble High Court and their cases have been decided in the light of the aforesaid judgments, the matter was placed before the competent authority of HPSEB Ltd. After due deliberation, and with a view to ensuring proper implementation of the aforesaid Government instructions and compliance with the judgments/orders passed in matters relating to HPSEB Ltd., the competent authority has been pleased to decide that all the cadre controlling authorities/appointing authorities shall take further immediate necessary action to complete the process of (1) preparation and circulation of tentative seniority lists, as per Para 1 above, inviting objections from the concerned employees.. (2) Consideration of objections, if any, and finalization of seniority lists.(3) Convening of DPCs/review DPCs/fresh DPCs, as the case may be.(4) Acceptance of DPC minutes by the competent authority and calculation of monetary benefits, if any, accruing therefrom.(5) Submission of complete cases to the Board Secretariat for onward reference to the State Government for obtaining approval be completed within in a minimum time period so that the mandate of the judgement passed in the matter relating to HPSEB Ltd shall be complied as expeditiously as possible.

The above schedule shall be adhered to strictly. Any failure or delay in complying with the aforesaid instructions shall be viewed seriously, and the officers/officials responsible for such non-compliance shall be liable for appropriate action under the relevant rules governing the matter.

This bears the approval of the competent authority of the HPSEB Ltd.

Director (Pers.)
HPSEBL, Vidyut Bhawan,
Shimla-4.

Copy to the Superintending Engineer (IT), HPSEB Ltd. for uploading the instruction on the HPSEB Ltd; website please.

Director (Pers.)
HPSEBL, Vidyut Bhawan,
Shimla-4.