



From

The Additional Chief Secretary to Government, Haryana,  
Finance Department.

To

1. All the Administrative Secretaries in Haryana State.
2. All the Head of Department in Haryana State.
3. The Registrar General of the Punjab & Haryana High Court.
4. All the Divisional Commissioner in Haryana State.
5. All the Deputy Commissioner in Haryana State.
6. All the SDO(Civil) in Haryana State.

Memo No. 6/44/2024-4PR(FD)/ 1697

Dated, Chandigarh, the 16.09.2025

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**Subject:- Regarding one notional increment for the purpose of only calculating pension to the State Government employees, who retired/will retire on 30<sup>th</sup> June/31<sup>st</sup> December after rendering the requisite qualifying service of one year.**

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I am directed to invite your kind attention on the subject noted above and to say that earlier, keeping in view the judgment dated 11.04.2023 of the Hon'ble Supreme Court of India passed in Civil Appeal No. 2471 of 2023 titled as 'The Director (Admn. And HR) KPTCL & Others Vs. C.P. Mundinamani and others', the Hon'ble Punjab & Haryana High Court disposed of number of cases on the same lines with directions to the respondents to grant one increment. However, these cases also included such petitioners who had completed six months or more but less than one year service. One of such writ petition i.e CWP No. 14857 of 2023 titled as Jagdish Rai Gupta Vs. State of Haryana & ors. was allowed by the Hon'ble High Court vide order dated 15.04.2024.

2. Whereas, keeping in view legal opinion No. 2423 dated 13.06.2024 of the Ld. Advocate General, Haryana in CWP No. 14857 of 2023- Jagdish Rai Gupta Vs. State of Haryana & ors. and in other similar cases, various SLPs have been filed before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court, vide interim order dated 11.02.2025 has stayed the operation of impugned orders dated 21.05.2024 passed in CWP No. 11985 of 2024- Sant Lal Aggarwal Vs. State of Haryana & ors.

3. Whereas, during the pendency of these SLPs filed by the State Government, the Hon'ble Supreme Court in Misc. Application Diary No. 2403/2024 in Civil Appeal No. 3933 of 2023- Union of India & anr. Vs. M Siddaraj pertaining to Central Government, has passed following order on 20.02.2025:-

- "(a) The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. **Enhanced pension for the period prior to 31.04.2023 will not be paid.**
- (b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid.
- (c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.
- (d) In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension by including one increment will



*be payable for the period of three years prior to the month in which the application for intervention/ impleadment/writ petition/ original application was filed."*

Further, clause (d) will not apply to the retired government employee who filed a writ petition/original application or an application for intervention before the Central Administrative Tribunal/High Courts/this Court after the judgment in "Union of India & Anr. Vs. M. Siddaraj" 1, as in such cases, clause (a) will apply.

4. Whereas, the Hon'ble Punjab & Haryana High Court has disposed of a bunch of CWPs in leading CWP No. 14627 of 2024- Mahabir Singh Tanwar Vs. State of Haryana & ors., vide orders dated 24.04.2025 in the terms of the order passed by the Hon'ble Supreme Court on 20.02.2025 in Miscellaneous Application Diary No. 2400 of 2024 in Civil Appeal 3933 of 2023 with connected miscellaneous applications titled as Union of India and another Vs M. Siddaraj. The Hon'ble High Court has further directed the Administration-respondents to pass a specific orders taking into consideration the facts of each case and the State authorities shall also take into consideration any policy decision which the State Government may take with respect to the persons, who retired having put in more than six months and less than one year of service in their last year of tenure.

5. Pursuant to the aforementioned order dated 20.02.2025 of the Hon'ble Supreme Court in Misc. Application Diary No. 2400/2024 in Civil Appeal No. 3933 of 2023- Union of India & anr. Vs. M Siddaraj, the Ld. Advocate General, Haryana, vide legal opinion dated 03.04.2025, has opined as under:-

*"xxxxxx issue pertaining to entitlement of employees retiring on 30th June, on completion of one year service has already attained finality in SLP (Dy.) No. 1997 of 2025 titled as Senior Divisional Manager, LIC of India & ors. Vs. Shailiesh Tiwari and SLP (c) No. 28778 of 2024 titled as Damodar Valley Corporation & ors. Vs. Jyotirmoy Sarkar & anr. in terms of orders dated 20.02.2025. xxxxxx*

*As regards the other category of retired employees i.e. those who retired before 30th June i.e. after completing 6 months or more service but less than one year, their entitlement for grant of an increment was neither under consideration nor has been decided by the Hon'ble Supreme Court in the aforementioned cases."*

6. Considering the order dated 20.02.2025 of the Hon'ble Supreme Court passed in Misc. Application Diary No. 2400/2024 in Civil Appeal No. 3933 of 2023- Union of India & anr. Vs. M Siddaraj, the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, Government of India vide memorandum No. 19/116/2024-Pers. Pol. (Pay) (Pt) dated 20.05.2025, has taken following decision:-

*"xxxxxx*

*6. The matter has been examined in consultation with D/o Expenditure and D/o Legal Affairs. It is advised that in pursuance of the above referred Order dated 20.02.2025 of the Hon'ble Supreme Court, action may be taken to allow the increment on 1st July / 1st January to the Central Government employees who retired/are retiring a day before it became due i.e. on 30th June / 31st December and have rendered the requisite qualifying service as on the date of their superannuation with satisfactory work and good conduct for calculating the pension admissible to them. As specifically mentioned in the orders of the Hon'ble Supreme Court, grant of the **notional increment** on 1st January / 1st July shall be reckoned only for the purpose of calculating the pension admissible*



*and not for the purpose of calculation of other pensionary benefits.*

xxxxxx"

7. Now, the matter has been examined by the State Government in the Finance Department and in pursuance to the orders dated 20.02.2025 of the Hon'ble Supreme Court passed in Misc. Application Diary No. 2400/2024 in Civil Appeal No. 3933 of 2023- Union of India & anr. Vs. M Siddaraj and memorandum dated 20.05.2025 of GoI, **it has been decided to allow one notional increment to the State Government employees, who retired/are going to retire a day before it became/become due i.e. on 30th June/31st December after rendering the requisite qualifying service of one year as on the date of their superannuation with satisfactory work and good conduct only for the purpose of calculating the pension admissible to them.** As specifically mentioned in the orders of the Hon'ble Supreme Court, grant of the **notional** increment shall be reckoned **only for the purpose of calculating the pension admissible** and **not** for the purpose of calculating the **other pensionary benefits**.

The benefit of this increment shall be granted in the following manner:-

- (a) The judgment dated 11.04.2023 of the Hon'ble Supreme Court passed in Civil Appeal No. 2471 of 2023 titled as The Director (Admn. and HR) KPTCL & Ors. Versus C.P. Mundinamani & Ors. will be given effect to in case of third parties from the date of the judgment, that is, the **pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 30.04.2023 will not be paid.**
- (b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid.
- (c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.
- (d) In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension by including one increment will be payable for the period of three years prior to the month in which the application for intervention/impleadment/writ petition/ original application was filed.
- (f) Further, clause (d) will not apply to the retired government employee who filed a writ petition/original application or an application for intervention before the Central Administrative Tribunal/High Courts/this Court after the judgment dated 19.05.2023 in "Union of India & anr. Vs. M. Siddaraj", as in such cases, clause (a) will apply.

8. It is further clarified that this one notional increment is permissible only to the following Government employees/pensioners, whose annual increment was/will be otherwise due on 1<sup>st</sup> July/ 1<sup>st</sup> January, as the case may be, had they been in service:-

- (a) who were drawing their pay under the provisions of HCS (RP/ACP) Rules, 2008 and retired on 30th June, 2006 and subsequent 30th June, 2007, 2008..... upto 30<sup>th</sup> June, 2015 after completing one year service with satisfactory work and good conduct.
- (b) who were drawing their pay under the provisions of HCS (RP/ACP) Rules, 2016 and retired on 30<sup>th</sup> June/31<sup>st</sup> December



*after completing one year service with satisfactory work and good conduct.*

*(c) who are drawing their pay under the provisions of HCS (RP/ACP) Rules, 2016 and going to retire on 30<sup>th</sup> June/31<sup>st</sup> December (as the case may be) after completing one year service with satisfactory work and good conduct.*

9. In case any excess payment has already been made, including arrears under the implementation of contempt proceedings & further subject to final outcome of appeal (LPA/SLP etc.), such amount paid will not be recovered.

10. Moreover, the State Government has decided to move application(s) before the Hon'ble Supreme Court in the pending SLP(C)(s) seeking clarification on the issue of three years pension arrears, as mentioned in clause (d) of para 7 above. Accordingly, in the meantime, the pension arrears shall be payable w.e.f. 01.05.2023.

11. Whereas, keeping in view the judgment dated 24.04.2025 of the Hon'ble High Court passed in CWP No. 14627 of 2024- Mahabir Singh Tanwar Vs. State of Haryana & ors., matter was further considered regarding **those employees who retired on or before 30<sup>th</sup> June/31<sup>st</sup> December (as the case may be) after completing 6 months or more service but less than one year, it is observed that they would not be entitled to the benefit of one notional increment** in terms of orders dated 20.02.2025 passed in Misc. Application Diary No. 2400/2024 in Civil Appeal No. 3933 of 2023- Union of India & anr. Vs. M. Siddaraj, as their entitlement for grant of one notional increment was neither under consideration nor has been decided by the Hon'ble Supreme Court and the issue is still to be considered by the Hon'ble Supreme Court. Thus, this issue is pending before the Hon'ble Supreme Court in the SLPs already filed by the State Government and in many cases operation of the impugned order has already been stayed.

These instructions may be brought to the notice of all officer(s)/official(s) concerned for strict compliance. Further, it is requested that the position as such may be brought to the notice of the Hon'ble Courts in all of the pending/under adjudication COCPs, CWPs, Civil Suits and other judicial proceedings, as the case may be.

Apart from above, the AD's/Departments concerned are also requested to pass the specific speaking orders in compliance of Hon'ble Court orders, if required, taking into consideration the facts of each case keeping in view the above instructions.

  
**Deputy Secretary Finance (PR)**

for Additional Chief Secretary to Government, Haryana,  
Finance Department

Endst. No. 6/44/2025-4PR(FD)/ Dated, Chandigarh, the 16.09.2025

A copy is forwarded to the Ld. Advocate General, Haryana, Chandigarh for information and necessary action:-

Sd-

**Deputy Secretary Finance (PR)**

for Additional Chief Secretary to Government, Haryana,  
Finance Department

Endst. No. 6/44/2025-4PR(FD)/ Dated, Chandigarh, the 16.09.2025

A copy is forwarded to the Principal, Accountant General (A&E/Audit), Haryana, Chandigarh for information and necessary action:-

Sd-

**Deputy Secretary Finance (PR)**

for Additional Chief Secretary to Government, Haryana,  
Finance Department

Government of Haryana  
**Finance Department**



हरियाणा सरकार  
वित्तविभाग

Endst. No. 6/44/2025-4PR(FD)/

Dated, Chandigarh, the 16.09.2025

A copy is forwarded to the Pension Branch (FD) for information and necessary action.

-Sd-

**Deputy Secretary Finance (PR)**  
for Additional Chief Secretary to Government, Haryana,  
Finance Department (

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In-charge Computer Cell (FD) (for uploading in Finance Dept. <sup>web</sup> site)

17/9/25