



2026:UHC:1526

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPSS/2169/2022</u></p> <p><b><u>Hon'ble Manoj Kumar Tiwari, J</u></b></p> <ol style="list-style-type: none"><li>1. Mr. Tushar Upadhyaya, learned counsel for the petitioner.</li><li>2. Mr. P.C. Bisht, learned Additional C.S.C. for the State of Uttarakhand.</li><li>3. Petitioner was an employee of a Government Company known as "HILTRON", which was closed in 2002. However, petitioner, along with 102 other employees of HILTRON, was sent to Department of Training &amp; Employment, where they served on deputation till their absorption in 2019.</li><li>4. Petitioner retired from service after attaining age of superannuation in the year 2020. After his retirement, he made representation to Director, Training &amp; Employment claiming pension and other retiral benefits for the services rendered between 17.09.2002 to 30.11.2020. The said representation was rejected by referring Rule 6 of Uttarakhand Technical Education Department and Skill Development &amp; Employment Department Absorption Rules, 2019 (<i>in short 'Absorption Rules'</i>), which were notified on 29.08.2019. Reference was also made to Rule 8, which provides that the cut-of-date for absorption would be 27.11.2015.</li><li>5. Learned State Counsel has produced in Court judgment dated 18.03.2025 rendered by Division Bench of this Court in WPSB No. 576 of 2019, in which validity of "Uttarakhand Technical Education Department and Skill Development &amp; Employment Department Absorption Rules, 2019" was upheld. Learned State Counsel placed heavy reliance upon para 11 of the said judgment, which reads under: -</li></ol>



"11. He further submits that as HILTRON employees, petitioners were not entitled to pension; state employees, appointed after 01.10.2005, are covered by New Pension Scheme, and, HILTRON employees upon absorption in the department are also given benefit of New Pension Scheme, thus they are treated at par with other government servants for all practical purposes."

6. This Court does not find any reason to interfere with the impugned order. Petitioner's claim for pension and other reitral benefit is unfounded, as petitioner acquired the status of Government Servant only on 27.11.2015, when he was absorbed in service of Department of Training & Employment. Thus, the claim staked by petitioner for pension for the entire period during which he served in Department of Training & Employment is devoid of merit. The service, which he rendered before absorption was as a deputationist and he had no lien on any post in Department of Training & Employment. Since petitioner's absorption was made strictly as per provision of Absorption Rules, therefore, his absorption would be governed by terms and conditions mentioned in those Rules.

7. Even otherwise also, petitioner's absorption was made after introduction of New Pension Scheme, therefore, Director, Training & Employment rightly denied petitioner's claim for pension.

8. In such view of the matter, the writ petition fails and is dismissed.

**(Manoj Kumar Tiwari, J)**

10.03.2026

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