

3. Decision of Government

3.1 After examination, the Government has decided their re-fixation of pay in cases decided on the basis of the judgment in *Saurabh Sharma & Ors. vs. State of Punjab & Ors.* shall be undertaken as under:

A. Cases where Departmental Pay Scale is Lower than 7th CPC Pay Scale

Where the pay fixed under the Departmental Service Rules (as applicable on the date of appointment) is lower than the pay scale notified on the pattern of the 7th CPC, the pay shall be fixed strictly as per the 7th CPC pay scale, being more beneficial to the employee.

Such cases are already covered under Finance Department letter dated 30.01.2025 and shall not require further re-fixation. This category includes:

- Employees governed by departmental rules mentioning pre-5th PPC pay scales, and
- Most employees governed by departmental rules mentioning pre-revised 5th PPC pay scales.

B. Cases where Departmental Pay Scale is Higher than 7th CPC Pay Scale

Where the pay fixed under the Departmental Service Rules is higher than the pay scale notified on the pattern of the 7th CPC, re-fixation shall be carried out as under:

i) Employees not covered under instructions dated 15.01.2015
For employees to whom Finance Department letter No. 7/204/2012-APP/1/66 dated 15.01.2015 is not applicable, and where the salary (Basic Pay + DA*) under Departmental Rules exceeds the salary (Basic Pay+DA**) under the 7th CPC:

- The salary under the Departmental Rules shall be taken as the basis.
- The corresponding basic pay shall be fixed at the same stage, or if not available, at the next higher stage in the 7th CPC pay level notified for the post.

(DA rates shall be applied strictly in accordance with Annexure 'A' as clarified in the earlier instructions.)

Illustration: Annexure 'B'

- ii) Employees covered under instructions dated 15.01.2015
- During the probation period, if the minimum pay in the pay band under Departmental Rules is lower than Cell-1 of the 7th CPC pay level, pay shall be fixed at Cell-1, being more beneficial.
 - If such pay is lower than applicable DC rates, DC rates shall apply.
 - On successful completion of probation, pay shall be fixed strictly as per Para A or Para B(i), as applicable."

Accordingly, in compliance of the orders dated 06.08.2025 passed by the Hon'ble High Court and in light of the above said directions dated 5-1-2026 issued by the competent authority, i.e., the Department of Finance, Punjab, the pay of the petitioners be re-fixed strictly as per instructions contained in para 5 of the said instructions dated 05.01.2026.

Keshav Goyal, P.C.S.
Director School Education (Secondary), Punjab

Encl: No. 1001/2025/156-58 Date: 13-3-26

Copy of the above is sent to the following for information and necessary action:-

- 1. Secretary to Government of Punjab, Department of School Education (Education-5 Branch), Civil Secretariat (11, Sector-9), Chandigarh
- 2. Concerned District Education Officers (S.E./D.E.) to fix the pay of the petitioner's after getting it verified from the Sessions Officer (M.C.A.) and send the report to this Directorate.
- 3. Concerned Petitioners as per List through D.E.O. (S.E./D.E.).

(Signature)
Assistant Director School Education (Secondary)

उद्देश्य: शिक्षक शिक्षिका महानगर (पै.मि.) वरिष्ठा

दि. 13/03/2026

संख्या: ए.ए. 111/2025/156-58

संबंधित न. 111/2025/156-58 संख्या, शिक्षक शिक्षिका महानगर (पै.मि.) वरिष्ठा के लिए उक्त नोंदित महानगर शिक्षक शिक्षिका के प.स. परीक्षा परिणाम प्राप्त हुए हैं। यह संदर्भित निर्देश दिए अनुसार प.स. परीक्षा के फल का प.स. परीक्षा परिणाम प्राप्त हुआ है।

(Signature)
13/03/26

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Office of Director School Education (Secondary) Punjab, Complex Punjab School
Education Board, Block-E, Phase-8, SAS Nagar.
(Establishment-3 Branch)

Order No. DP/ISE-EST30CC(CWPY)63/2025-ESTABLISHMENT-3-DP/ISE/1013520
Dated: S.A.S Nagar: 12.03.2026

Speaking Order

1.0 Vijay Luxmi Thakur, aged about 29 years, wife of Aashish Kumar Rana, resident of H.no. 32, Sainik Vihar, Near Army Public School, Khusropur, District Jalandhar, Punjab and 19 others, had filed Civil Writ Petition No. 22684 of 2025 in the Hon'ble Punjab and Haryana High Court with the prayer for issuance of a writ in the nature of mandamus directing the to grant the Statutory pay scale to the petitioners as per 2009 Rules Annexure P-5 i.e. Rs.10300-34800 Grade Pay Rs. 5000/- later on Grade Pay increased to 10300-34800 + Grade Pay vide letter dated 27.02.2012 Annexure P-6 from entry into service along with arrear at interest rate of 12% thereon (the petitioners demand 6th Pay Scale/Commission of Punjab State Government) and with a further prayer that issue a writ in nature of Mandamus directing the respondents to take into the Statutory pay scale of Rs. 10300- 10300-4800 Grade pay of Rs. 5000/- later on Grade pay increased to 10300-34800+ Grade pay vide letter dated 27.02.2012 Annexure P-6 with future pay revisions.

2.0 The Hon'ble Punjab and Haryana High Court disposed of the petition vide order dated 06.08.2025. The operative portion of the order is reproduced as below:-

"In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the representation dated 07.02.2025, taking note of the aforesaid judgment, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon."

I have examined the claim raised by the petitioners through representation dated 07.02.2025 and has also considered the order of Hon'ble Court in CWP No. 15896 of 2023 titled as Saurabh Sharma and others versus State of Punjab and another in which it was held that all candidates appointed under the same recruitment process are entitled to equal pay as per the 2016 Rules regardless of actual appointment date in terms of which the present Petition has been disposed of. The relevant portion of the judgment in CWP No. 15896 of 2023 followed in Saurabh Sharma's case is as under:-

"At this stage, learned counsel for the petitioners submit that though the petitioners have claimed interest but keeping in view the fact that they are only interested in the pay scale as entitled to them under 2016 Rules, they are not pressing their claim for the grant of interest..."

The services of petitioners are governed by the "The Punjab Educational (Teaching Cadre) Group C Service Rules, 2018." Rule 5 of the said rules provide that, "The members of the Service shall be entitled to such scales of pay as may be authorized by the Department of Finance from time to time. Accordingly, the approval is hereby accorded to fix the pay of the petitioners as per the above mentioned 2018 Rules. Further, according to the Punjab Civil Services (Revised Pay) Rules, 2021 notified by the State of Punjab vide notification No. 09/01/2021-SFP1/671 dated 05.07.2021, these pay scales are not applicable to employees recruited on or after 17.07.2020. The relevant part of the said rules is reproduced below:-

"(2) They shall not apply to the- (b) Government employees recruited in the service of the State of Punjab or the Punjab Vidhan Sabha on or after 17.07.2020, on whom pay scales on the pattern of the Government of India are applicable."

As per above provision made in the rules the pay scales as per 6th Punjab Pay Commission are not applicable to the petitioners in this case.

Subsequently, in compliance of the orders of the Hon'ble High Court in matters related to Saurabh Sharma's case, Department of Finance, Punjab has issued instruction dated 05.01.2026, wherein it has been decided to grant the pay scale to the petitioners/employees which are more beneficial the them. The relevant part of the instruction dated 05.01.2026 is reproduced here under: