

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

Order No. DPIPE-EST30CC(CWP)/70/2025-ESTABLISHMENT-3-1032144
Dated: S.A.S Nagar: 06.04.2026

Pratibha Guleria, aged about 38 years, wife of Sandeep Kumar Chauhan, resident of VPO Draman, Tehsil Shahpur, District Kangra, Himachal Pradesh-176206 having Aadhaar Card No.6383 9449 1062 & Mobile No.9599206137 and 22 others filed Civil Writ Petition No. 23337 of 2025 in the Hon'ble Punjab and Haryana High Court directing the respondents to grant the Statutory pay scale to the petitioners as per 2009 Rules Annexure P-5 i.e. Rs. 10300-34800 Grade Pay of 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 arrears 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 account the statutory pay scale of Rs. 10300-34800 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.

Issue Writ in the nature of Mandamus, directing the Respondents, struck down the instructions dated 17.07.2020 Annexure P-4 and release the benefit to the petitioners under the judgment in CWP No. 15896 of 2023 titled Dr. Saurabh Sharma and others Vs. State of Punjab and others and under the judgment in CWP No. 17064 of 2017 titled Ajay Kumar Singla and others Vs. State of Punjab and others, notification dated 15.01.2015 quashed and released the full salary to the petitioners during probation period, which were allowed in favour of the petitioners.

The Hon'ble Punjab and Haryana High court disposed of the writ petition vide order dated 19.08.2025. 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.

In compliance with the above said orders of the Hon'ble Court, the petitioners were afforded opportunity of personal hearing on dated 27-02-2026 in this directorate. The petitioners who attended personal hearing have submitted the representation.

In compliance of the order dated- 19.08.2025, the claim of the petitioner was taken into consideration in light of the Judgment Ajay Kumar Singla and others vs State of Punjab and others. However, it is transpired that SLP No.25565 of 2015 in the concerned case is pending before the Hon'ble Supreme Court. Due to this, the matter has not attained finality. So, the present claim of the petitioners cannot be decided on the basis of above mentioned Judgment.

I have examined the representation dated 27-02-2026 and the claim raised by the petitioners during personal hearing 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..."

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The services of petitioners are governed by "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. 09/01/2021-5FP1/671 dated 05.07.2021, these pay scales are not applicable to employees

or after 17.07.2020. The relevant part of the said rules is reproduced

"2(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 to them. The relevant part of the instruction dated 05.01.2026 is reproduced here under:

"5. Decision of Government

5.1 After examination, the Government has decided that 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 30.10.2025 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. 7/204/2012-4FP1/66 dated 15.01.2015 is not applicable, and where the salary (Basic

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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 19.08.2025 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, PCS
Director School Education (Secondry),
Punjab

Endst. No. Even/202692820-22 dated: 06/04/2026

A 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 (II, Sector-9), Chandigarh.
2. Concerned District Education Officers (SE) to fix the pay of the petitioner's after getting it verified from the Section Officer/DCFA and send the report to this directorate.
3. Concerned Petitioners as per List mentioned in CWP.

9/4/26

Assistant Director (Establishment-3)

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਾਂਕਣ ਨੰ: ਅ-1/1()2026/ 1065

ਮਿਤੀ 9.4.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬਧਤ ਸਕੂਲ ਮੁਖੀਆਂ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਪੱਤਰ ਵਿਚ ਸੰਬਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਸਪੀਕਿੰਗ ਆਰਡਰ ਨੋਟ ਕਰਾਏ ਜਾਣ ਅਤੇ ਰਿਪੋਰਟ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ)
ਬਠਿੰਡਾ