

Office Director of Public Instruction (Elementary Education)
Punjab SAS Nagar

Order No. K.W.-4/58-2000-Esstd-1(1)

Dated : SAS Nagar, Mohali: 19.6.18

Sh. Ramesh Lal, JBT Teacher, Government Primary School, Kanewal, Block Garhshankar-II District Hoshiarpur and 38 other teachers of various subjects, whose detail is attached at Annexure-I to this order, filed CWP No. 8391 of 2000, which was disposed of by the Hon'ble Punjab and Haryana High Court vide order dated 25.2.2002 with the following operative order:-

“It could not be disputed during the course of arguments that this matter is covered by the decision rendered by this Court in Civil Writ petition No. 19057 of 2001, Surinder Singh Versus State of Punjab and others decided on 17.1.2002”

2. Against the aforesaid order, the State preferred R.A. No. 161 of 2005, which was also dismissed by the Hon'ble Punjab and Haryana High Court vide order dated 25.11.2005. Aggrieved by the said decision, the department preferred SLP No. 3874 of 2009, which has been disposed of by the Hon'ble Supreme Court of India vide order dated 16.8.2017 with the following operative order:-

“The appeal is disposed of in terms of the order of this Court dated 12th February, 2055 in C.A. Nos. 3487-3492 of 2004 titled “State of Punjab & Ors. Vs. Surinder Singh & Ors.”

3. The briefly facts of the matter are that the employees of the State Government resorted to strike on 8.2.1978 on account of pressing their demands. However, as a goodwill gesture the State Government granted one premature increment to those regular government employees who did not participate in the said strike. At that time the said concession was not extended to employees who were working on adhoc basis like the petitioners. Such adhoc employees preferred various writ petitions which were allowed by the Hon'ble Punjab and Haryana High Court. Ultimately, the said matter travelled to the Hon'ble Supreme Court of India. In order to determine claim of the petitioners for the grant of premature increment



on account of non participation in the strike, I have carefully gone through the contents of writ petition, its decision and ultimate decision of Hon'ble Supreme Court of India given in SLPs No. 3487-3492 of 2004 titled "State of Punjab & Ors. Vs. Surinder Singh & Ors, decided on 12.2.2015.

Vide the said order, the Apex Court has held entitled for one premature increment to those adhoc employees whose services were ultimately regularized w.e.f. 8.2.1978 or prior thereto and who have not participated in the strike resorted to by the employees on 8.2.1978. It is on the record that after the decision of Hon'ble Supreme Court of India, it was felt to re-scrutinize claim of each individual. However, in order to effective implementation of the order of the Apex Court and with a view to ascertain that no eligible person should have left out for providing him due benefit as per order of the Apex Court, a public notice was got published by the office of the D.P.I.(Secondary Education) in the month of May, 2015. Vide the said public notice, the employees/retirees relating to the Department of School Education, whose claim for the grant of one premature increment does cover under the parameters laid down by the Apex Court, were advised to stake their respective claim, to the concerned District Education Officer/Head of the Institution from where they had retired within a period of 15 days from the date of publication of the said notice. In case, services of any of the petitioner were regularized w.e.f. 8.2.1978 or prior thereto and they did not participate in the strike resorted to by employees on 8.2.1978, still they can stake their claim with the respective District Education Officer. It is hereby ordered that in case any of the petitioner is found to be entitled for premature increment as per decision of Hon'ble Supreme Court of India given in SLPs No. 3487-3492 of 2004 titled "State of Punjab & Ors. Vs. Surinder Singh & Ors, decided

on 12.2.2015, the same be granted to him alongwith benefit of pay fixation and retiral benefits, if needed to be revised, within a period of three months positively.

4. These orders shall be applicable with regard to petitioners No. 1, 15, 26, 27 and 36 who relate to Elementary Wing of the Department of School Education. However, DPI(SE) may pass similar orders in respect of remaining petitioners who belong to Secondary wing of the Department.
5. With the aforesaid order, the claim of petitioners shall stand disposed of.
6. These orders are hereby passed as per the information provided by the office of District Education Officer (Elementary Education) Hoshiarpur vide their letter No. Account-1/2018 dated 12.3.2018.

(Inderjit Singh)
Director of Public Instruction (EE) Punjab.

Endst. No. Even, 3077-85

Dated, SAS Nagar: 19-6-18

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

1. Director Public Instruction (Secondary Education) Punjab.
2. District Education Officer (E.E.) Hoshiarpur, Amritsar, Patiala, Jalandhar, Gurdaspur, Ludhiana, Kapurthala, Jalandhar, Sangrur and Faridkot. These orders be conveyed to the petitioners as per list enclosed at their existing address.

Assistant Director (Esstt.)

Mail
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C.W.P No. 8391 of 2000

Petitioners:

1. Ramesh Lal, JBT Teacher, Government Primary School, Kane-wal, B-Garhshankar-II, (District Hoshiarpur).
2. Navneet, Math Master, Government Senior Secondary School, (Boys), Jandiala Guru, Amritsar.
3. Kuldip Kaur, SC. Mistress, Government High School Tanda Ram Sahai, District Hoshiarpur.
4. Roshan Lal, Lecturer, Government Senior Secondary School, Chohal, District Hoshiarpur.
5. Charanjit Singh, Pbi. Master, Government Senior Secondary School (Boys), Goraya, District Jalandhar.
6. Tarsem Lal, Pbi. Teacher, Government High School Binjal, Distt. Patiala.
7. Pardeep Shukla, Lecturer, Government Senior Secondary School Moron, District Jalandhar.
8. Sukhdev Singh, Government Middle School Alampur, District Hoshiarpur.
9. Baldev Singh, Government High School, Behriwal, District Hoshiarpur.
10. Sohan Singh, Government High School, Gilgian, Distt. Hoshiarpur.
11. Surinder Singh, Government Middle School, Palo Chak, District Gurdaspur.
12. Gurmukh Singh, Government High School, Hardo Pharala, Jalandhar.
13. Manohar Singh, SC Master, Government High School, Hardo Pharala, Jalandhar.
14. Parshotam Lal, Librarian, Government Senior Secondary School Khudda District Hoshiarpur.
15. Kulwant Kaur, JBT, Government Primary School, Sehbajpura, B-Sudhar, District Ludhiana.
16. Nirmaljit Kaur, Sc. Mistress, D.D.N Government Girls High School Raikot, Ludhian.
17. Bhagwan Singh, Math Master, Government High School Fattu Dhings, District Kapurthala.
18. Kailash Vati, S.S Mistress, Government Girls Senior Secondary School, Phagwara, District Kapurthala.
19. Sudesh Kaur, P.T.I, Government Senior Secondary School Mana Wala Kalan.

20. Jarnail Singh, SC Master Government High School, Mohalla Santokh Pura, Jalandhar City.
21. Gulzar Singh, Math Master, Government High School, Mohalla Santokh Pura, Jalandhar City.
22. Harbhajan Singh, Pbi Teacher, Government Middle School, Mugal Chak Gill Complex, Government High School Rataul, Distrect Amritsar.
23. Tripta Devi, SC Mistress, Government Girls Senior Secondary School, Kapurthala
24. Arvinda Sood, Math Mistress, Government Girls Senior Secondary School, Kapurthala.
25. Dhian Singh, Pbi Master, Government Senior Secondary School, Sector-1, Talwara.
26. Hoshiar Singh, JBT, Government Primary School, Kothi, Block Hazipur, District Hoshiarpur.
27. Pardan Singh, JBT, Government Primary School, Datapur, B-Hazipur, District Hoshiarpur.
28. Kiran Bala, Lecturer, D.I.E.T Shekupur, Kapurthala, District Kapurthala.
29. Amrik Singh, Lecturer, D.I.E.T Shekupur, Kapurthala, District Kapurthala.
30. Manohar Singh, SC Master, Government High School, Hardo Pharala, District Jalandhar.
31. Jatinder Kapur, Music Mistress, Government Girls High School, Division No. 3. Ludhiana City.
32. Sheela Devi, SC Mistress, Government Girls High School, Division No. 3. Ludhiana City.
33. Satwant Kaur, Pbi Teacher, Government Girls High School, Division No. 3, Ludhiana City.
34. Rajinder Kaur, Pbi Teacher , Government Girls High School, Division No. 3 Luhiana City.
35. Prem Kapur, S.S. Mistress, Government Girls Senior Secondary School, Phillaur Distrtict Jalandhar.
36. Gian Chand, JBT, Government Primary School Mazi, Block Sangrur-II, District Sangrur.
37. Rajinder Pal, S.S.Master, Government Middle School, Tharaj Complex Government High School, Uksi, District Ludhiana.
38. Anguri Devi, Hindi Teacher, Government Middle School, Behal Kalan, District Faridkot.