

SED-EDU707/5/2025-3EDU7
Government of Punjab
Department of School Education
Education -7 Branch

SPEAKING ORDER

No.: I/1462619/2026

Dated, Chandigarh: 30.07.2026

1.0 Whereas the petitioners namely Gurdeep singh S/o Ram Singh and 17 others filed Civil Writ Petition No. 27728 of 2025 in the Hon'ble Punjab and Haryana High Court with the prayer to grant the statutory pay scale as mandated in the 2018 Rules viz 10300-34800+Grade Pay Rs 4200/- from entry into the service along with the arrears and interest at 12% thereon in the light of law settled in CWP No. 15896 of 2023 titled as *Saurabh Sharma and others vs State of Punjab and another.*

2.0 Whereas the Hon'ble Punjab and Haryana High Court disposed of the Writ Petition vide order dated 17.09.2025. The operative portion of the order is reproduced as below :-

 "6. The respondent No.1 is directed to decide the representation dated 07.02.2025 (Annexure P-9) in the light of the judgments passed by this Court in CWP-15896-2023 (O&M), titled as "Dr.Saurabh Sharma and others Vs. State of Punjab and Others." and CWP-17064-2017, titled as "Ajay Kumar Singla and Others vs. State of Punjab and Others" and to take a decision by passing a well reasoned and speaking order within a period of four months from today.

7. In case, the petitioners are found entitled to any relief, the same shall be released to them along with reasonable rate of interest, without any further delay.

8. "Disposed of"

3.0 Whereas the representation dated 07.02.2025 of the petitioners along with the order of Hon'ble Court in CWP No. 15896 of 2023 titled as *Saurabh Sharma and others vs 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 judgement 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..."

4.0 Whereas the services of petitioners are governed by the "Punjab State Elementary (Teaching Cadre) Group C Service Rules, 2018." Rule 5 of the said rules provides, "*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 they were appointed after 17.07.2020 therefore the matter regarding applicability of the 6th Pay Commission is concerned, it is submitted that as per Rule 2(2)(b)(reproduced below) of the notification dated 05.07.2021 issued by the Punjab Government regarding the Punjab Civil Services (Revised Pay) Rules 2021, the 6th Pay Commission is not applicable upon the employees appointed after dated 17.07.2020. The recommendations regarding revised pay of the 6th Pay Commission are applicable upon the employees who were working in Government Service on dated on 01.01.2016. Thus these recommendations are applicable upon the employees

appointed on dated 17.07.2020 or thereafter. Since the petitioners were appointed in the Department after 17.07.2020 , Therefore , the pay scales of the 6th Punjab Pay Commission are not applicable upon the petitioners case "2(2) They Shall not apply to the -

(a).....

(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."*

(c) "

5.0 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 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."*

6.0 Whereas, the appointment order were issued to petitioners in accordance with the Punjab Government School Education Department (Education -4) Branch's notification No. 1301/1/2020-6Edu3/277 dated 21.10.2020 with basic pay of Rs. 29200/- as mentioned in the advertisement dated 06-03-2020. It is worthwhile to mention here that the Pay scale for the post Elementary Trained Teacher (ETT) under the Punjab State Elementary Education (Teaching Cadre) Group C, Service Rules 2018 was 10300-34800+4200 G.P.

 7.0 Whereas, the pay of the petitioners during their probation period the pay calculated under the Department Service Rules is lower than the emoluments they are currently receiving under the 7th CPC pattern. In accordance with the Finance Department's instructions dated 05.01.2026 which mandates the protection of the more beneficial pay scale, the petitioners are already drawing a higher salary of Rs. 29200/-, than what they would entitled to under the department rules as this stage i.e. Rs. 10300 (during probation period).

8.0 However, it is clarified that upon successful completion of their respective probation periods, the petitioner's pay shall be reviewed and re-fixed in accordance with the methodology prescribed in the instructions dated 05.01.2026 to ensure conformity with the Statutory Service Rules. The basic

pay of the petitioners after clearing the probation shall be approximately Rs. 37000/-.

Accordingly, in compliance of the orders dated 17.09.2025 passed by the Hon'ble High Court and in light of the above said directions dated 05.01.2026 the claim of the petitioners is decided.

Dated: 24.07.2026

Place Chandigarh

Sonali Giri, IAS

Secretary to Government of Punjab,
Department of School Education

Endst. No. I/1462619/2026(1)

Dated: Chandigarh 30.07.2026

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

1. Director School Education (Elementary) Punjab
2. Concerned District Education Officers (EE) to fix the pay of the petitioner after getting it verified from the Section Officer/DCFA and send the report to this directorate.
3. Concerned Petitioners as per List through District Education Officer (Elementary).



Under Secretary School Education

