

**Department of School Education
Government of Punjab
(Education-7 Branch)**

Speaking Order

Hari Chand, I.E. Assistant Teacher, aged 42 years, S/o Hira Lal, O/o GPS Mehna, R/o Chogawan, Moga, along with 51 other I.E. Assistant Teachers, had filed CWP No. 10458 of 2025 in the Hon'ble Punjab and Haryana High Court. The petitioners prayed for quashing the action of the respondents whereby their pay had been fixed at ₹15,000/- per month, whereas similarly situated employees are being paid ₹22,000/- per month. The petitioners claimed that the action of the respondents is illegal, arbitrary, discriminatory, and prejudicial to them, and contrary to the judgment passed by the Hon'ble Supreme Court of India in *State of Punjab vs. Jagjit Singh*, (2017) 1 SCC 148.

The petitioners further contended that the principle of equality mandates that employees performing similar duties and possessing similar qualifications should not be subjected to arbitrary and discriminatory pay scales. An employee engaged to perform the same work cannot be paid less than another who performs the same duties and responsibilities.

The petitioners also prayed for a direction to the respondents to grant them the minimum pay scale in terms of the law laid down by the Hon'ble Supreme Court of India, or alternatively, to grant them the minimum pay by considering the IEV/IEAT as Pre-Primary Teachers with the proposed pay scale of ₹10,300-₹34,800 + ₹3,200 Grade Pay.



The petitioners further prayed for a direction to the respondents to regularize their services and grant them the pay scale in terms of the order dated 07.03.2025 passed by the Hon'ble Supreme Court of India in Writ Petition(s) (Civil) No(s). 132/2016 titled *Rajneesh Kumar Pandey & Ors. Versus Union of India & Ors.*

The Hon'ble High Court disposed of the present writ petition vide order dated 10.12.2025, the relevant portion of which is reproduced as under:

"Main case

3. In the present writ *petition*, the petitioners have challenged the action of the respondents whereby, the pay of the petitioners has been fixed

at Rs. 15,000/- per month whereas, similar situated employees are being paid Rs. 22,000/- per month. It is the case of the petitioners that they are entitled for grant of minimum of the pay scale in terms of the judgment of the Hon'ble Supreme Court titled "State of Punjab Vs. Jagjit Singh (2017) 1 SCC 148.

4. Learned counsel appearing on behalf of the petitioners, on instructions from the petitioners, submits that at this stage, he will be satisfied if a direction is given to respondent No.3 to decide the legal notice dated 07.01.2025 (Annexure P-9) submitted by the petitioners, in a time bound manner.

5. Notice of motion.

6. Mr. Rohit Ahuja, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and does not object to the prayer made by learned counsel for the petitioners.

7. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondent No.3 to consider and decide the legal notice dated 07.01.2025 (Annexure P-9), submitted by the petitioner within a period of 03 months from the date of receipt of certified copy of this order in accordance with law.

 8. Pending application(s), if any, shall also stand(s) disposed of accordingly."

AND Whereas, in compliance with the orders of the Hon'ble High Court, the legal notice dated 07.01.2025 (Annexure P-9) submitted by the petitioners has been examined.

In the legal notice dated 07.01.2025 (Annexure P-9), the petitioners have claimed that they acquired the Nursery Teacher Training (NTT) qualification as per the letter dated 26.11.2019 and that most of them possess Graduation and Post Graduation degrees. They have been considered under the Policy for Welfare of Adhoc, Contractual, Temporary Teachers (Nation Builders) and other Employees in the School Education Department dated 07.10.2022, and their salary has been fixed as per the letter dated 01.06.2023. However, different pay has been prescribed for different posts in an illegal and arbitrary manner without assigning any specific reasons for such differentiation.

The petitioners' pay was fixed at ₹15,000/- per month, whereas similarly situated employees are receiving ₹22,000/- per month. The petitioners have sought parity in pay with other categories such as Associate Teachers and Pre-Primary Teachers.

AND Whereas, it is observed from the record that the petitioners were working as Inclusive Education Volunteers (IEVs) under the Samagra Shiksha Abhiyan. The job role of the petitioners, as defined in the IED Branch letter Memo No. DM/IED/2008/SSA/Recruitment/021638-657 dated 16.07.2008, mainly relates to home-based education, surveys, community rehabilitation, and support to Children With Special Needs (CWSN), and does not involve classroom teaching, which is in contrast to the duties of the teachers with whom they seek parity.

The minimum qualification prescribed for the post of IE Volunteer was 10+2 along with a certificate course in Inclusive Education, such as the Foundation Course or Care-givers Course.

AND Whereas, these employees have been considered under the Policy for Welfare of Adhoc, Contractual, Temporary Teachers (Nation Builders) and other Employees in the School Education Department dated 07.10.2022. In terms of the said policy, the petitioners and similarly situated employees have been granted protection of service till the age of 58 years on a fixed monthly remuneration of ₹15,000/- as per the Finance Department's approval dated 01.06.2023.



AND Whereas, a perusal of the relevant record reveals that the post for which the petitioners were appointed prescribed the minimum educational qualification of 10+2. Hence, they are being paid salary commensurate with the 10+2 qualification. It has also been found that some of the petitioners possessed higher qualifications at the time of their joining, yet they willfully applied for the posts of IE Volunteers despite being fully aware of the prescribed eligibility criteria and remuneration structure.

It is a settled position that employees are paid remuneration as per the post to which they are appointed, irrespective of higher qualifications they may possess. There is no rule or law that entitles an employee to salary according to higher qualifications acquired by them. The employees in other cadres, who are being paid higher salaries than the petitioners, were appointed on the basis of

higher prescribed qualifications and their job profiles are also materially different from that of the petitioners.

AND Whereas, the classification of posts, pay fixation, and regularization of services were carried out after proper scrutiny of records, academic qualifications, and due approval from the Finance Department.

AND Whereas, the office of Samagra Shiksha Abhiyan, Punjab vide communication dated 22.04.2025 has clarified that the initial engagement of these IE Volunteers was made at ₹1,000/- per month, which was gradually revised to ₹5,500/- per month and finally to ₹15,000/- per month as per the policy dated 07.10.2022 and the Finance Department letter dated 01.06.2023. Although some petitioners may have improved their qualifications subsequently, the scope of their work continues to align with their original job profile. Their duties cannot be equated with those of Inclusive Education Resource Teachers (IERTs), whose primary duty is classroom teaching and who are governed by different eligibility and recruitment norms. Hence, the pay of ₹15,000/- per month, as approved, is in accordance with the duties performed and the qualifications prescribed for the post of IE Volunteers.

Therefore, after careful consideration of the notice dated 07.01.2025(Annexure P-9) and the existing policy framework, the claim of the petitioners is not found maintainable, hence, rejected.

Dated: 15-07-2026

Sonali Giri

Secretary School Education, Punjab

Endst.No. SED-EDU706/31/2026-5EDU7/I/1449340/2026/I Dated, SAS Nagar: 17.07.2026

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

- ✓ Directorate General School Education, Cum State Project Directorate
Punjab, Samagra Shiksha Abhiyan, Punjab.
2. Director School Education (Elementary).
3. Concerned District Education Officers.
4. Concerned petitioners through the District Education Officers.



Under Secretary
School Education, Punjab