

OFFICE OF DIRECTOR SCHOOL EDUCATION (ELEMENTARY) PUNJAB
6TH FLOOR, BLOCK -E, PHASE 8 SAS NAGAR, (ESTB-2 BRANCH)
Email id- dpiee.establishment2@punjabeducation.gov.in

Order No. E -1079234/ DPIEE-EST202/50/2026-ESTABLISHMENT-2/I/1347777/2026

Date: 18.03.2026

SPEAKING ORDER

1. Whereas the petitioners namely Nishu Gupta and others (Total 27 petitioners) filed a Civil Writ Petition No. 37109 of 2025 In Hon'ble Punjab and Haryana High Court with prayer for directing the respondents to revise the DA being paid to the petitioners in terms of 5th Punjab Pay Commission Matrix to the extent of 221% as has been revised by the Department of Finance vide order dated 26.01.2025 and pay the arrears of revised Dearness Allowance (DA) under 5th Punjab Pay Commission Matrix along with Interest. Further issue directions to the Respondents to decide the legal notice dated 08.11.2025 (Annexure P-9) served by the Petitioners, in the time bound manner.

2. Whereas, the Hon'ble court has disposed of the writ petition on 12.12.2025 with the following operative order:-

1. In the present writ petition, the petitioners are praying for issuance of a direction to the respondents to revise the Dearness Allowance (DA) payable to the petitioners in terms of 5 Punjab Pay Commission Matrix, as has been revised by the Department of Finance vide order dated 26.01.2025 (Annexure P-8), in pursuance to the judgment passed by this Court in CWP No.25257 of 2022 titled as 'Karnail Singh and others Vs. State of Punjab and others' on 13.09.2024 (Annexure P-7).

2. 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 08.11.2025 (Annexure P-9) served by the petitioners, in a time bound manner.

3. Notice of motion.

4. Mr. Amarpreet Singh Bains, AAG, Punjab, accepts notice on behalf of respondents and does not object to the prayer made by learned counsel for the petitioners.

5. *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 08.11.2025 (Annexure P. 9), served by the petitioners within a period of 02 months from the date of receipt of certified copy of this order in accordance with law.*
3. Whereas, through the legal notice dated 08.11 2025 (Annexure P-9), the petitioners have made the following request-
- "Through this legal notice, you are hereby called upon to:*
- (a) Revise/correct the Dearness Allowance (DA) being paid to our clients under 5th Punjab Pay Commission Matrix to 221% as has been revised vide order dated 26.01.2025 by the Finance Department, Government of Punjab.*
- (b) Pay the arrears of Dearness Allowance (DA) after revision along with the interest."*
4. Whereas, as far as the case of Karnail Singh, as referred to in the legal notice and relied upon by the petitioners for claiming unrevised DA of the 5th PPC, is concerned, it is submitted that in Civil Writ Petition No. 25257 of 2022, Karnail Singh (supra), the petitioners therein were Home Guard (Volunteers). Home Guard (Volunteers) are not regular Government employees, rather, they render voluntary service and are therefore not governed by the Departmental Service Rules applicable to Punjab Government employees. Consequently, the case of the present petitioners is not similar to that of Karnail Singh (supra).
5. Whereas, the pay of the petitioners has been fixed in accordance with the orders dated 13.09 2024 passed by the Hon'ble Court In CWP No. 15896 of 2023, In accordance with the Service Rules of Punjab Medical Education (Group-A) Service, Department of Medical Education and Research, As per the said Service Rules, the pay of the petitioners has been fixed under the 37400-67000 + 8600 GP pay scale(s) as per the recommendations of the 5th Punjab Pay Commission.
6. Whereas, the State Government has implemented the 6th Punjab Pay Commission with effect from 01.01.2016, vide notification No. 09/01/2021 5FP1/671 dated 05.07 2021 for employees recruited prior to 17.07.2020. As per the decision taken by the State Government, pay scales on the pattern of the

7th Central Pay Commission are applicable to employees recruited on or after 17.07.2020.

7. Whereas the pay scales as per 5th Punjab Pay Commission mentioned in the Punjab Medical Education (Group-A) Service, Department of Medical Education and Research Departmental Service Rules are not in existence for any category of employees, except the petitioners, to whom pay scales as per the 5th Pay Commission have been granted in compliance with the directions of the Hon'ble Punjab and Haryana High Court in CWP No. 15896 of 2023.
8. 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 recruited on or after 17.07 2020.

The relevant portion is reproduced below:-

"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.

9. Whereas, since, pay scales as per the 5th Punjab Pay Commission are not in existence, the Dearness Allowance (DA) rates for pay scales as per the 5th Punjab Pay Commission have not been revised by the State Government after 01.03.2020 (148%) vide letter dated 03.03.2020. However the Dearness Allowance (DA) rates for Punjab Government employees drawing pay as per the 6th Punjab Pay Commission (employees recruited prior to 17.07.2020) and the DA rates for Government employees drawing pay on the pattern of the 7th Central Pay Commission (employees recruited on or after 17.07.2020) are enhanced by the State Government from time to time.
10. Whereas to obviate the loss due to stagnation of Dearness Allowance (DA) in the case of the petitioners due to non-enhancement of DA, the State Government has taken policy decision vide letter No. FD-FP-10CC(CWP)/202/2025-5FP1/01, dated 05.01.2026, wherein a formula has been prescribed to fix the pay of the petitioners in the present case as well as in all other similar cases, while protecting their salary due as would accrue to them

under the aforementioned judgment. All Administrative Departments of the Government of Punjab have been instructed to take further action accordingly for fixation of pay.

Accordingly after fixation of pay as per the above instructions, the petitioners shall be paid the revised Dearness Allowance (DA) rates as admissible to other Government employees of the State. Further, arrears if any payable on re-fixation as per the instructions dated 05.01.2026 shall also be payable.

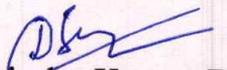
11. Since the claims in the representation have been appropriately decided by the instructions issued on 05.01.2026, the legal notice dated 08.11.2025 of the petitioners is decided in the above terms.

Harkirat Kaur Channe, P.C.S.
Director School Education (Elementary),
Punjab.

Endst. No. above Dated: 18.03.2026

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-7 Branch), Civil Secretariat (II, Sector-9), Chandigarh.
2. Concerned District Education Officers (EE) to inform the petitioners.
3. Concerned Petitioners as per List (Through D.E.O (EE)).


(Jatinder Kumar Bansal)
Assistant Director