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Office of Director of Public Instruction (Secondary Education) Punjab.

Dir (EE) Hry
30/09/26

(Establishment - IV Branch)

Order No. E-1109717/2026-ESTT-4(1)

Dated: S.A.S Nagar: 22.09.2026

Harinder Kaur, Math Mistress Government High School Ghulal Block Samrala District Ludhiana and others whose list is enclosed with this order filed civil writ petition No. 11950 of 2026 for 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/- for the Master cadre & Grade Pay Rs 4200/- for the ETT Cadre & Lecturer Cadre & Librarians & Class IV employees etc. working under the Education Department & later on Grade Pay increased to Rs 10300-34800+Grade Pay for the both cadre etc., vide letter dated 27.02.2012 (Annexure P-6) from entry into service alongwith arrears & interest @ 12% per annum & take into account the said statutory Pay scale for future Pay revisions. Further, to struck down the instructions dated 17.07.2020 (Annexure P-4) and release the benefit to the petitioners in view of the judgment passed in cwp-15896-2023 titled as Saurabh Sharma & other Vs state of Punjab & others' & other connected cases decided on 13.09.2024 & Cwp No. 17064 of 2017 titled as Ajay Kumar Singla & others Vs State of Punjab & others and other connected cases decided on 16.02.2023. The Hon'ble Punjab & Haryana High court disposed of the petition vide order dated 21.04.2026. The operative portion of the order is reproduced as below:-

"Without going into the merits of the case at this stage, at this stage, the present petition is disposed of with a direction to respondent No. 4 to consider and decide representation dated 07.08.2025 (Annexure P-9) submitted by the petitioners expeditiously, by passing a speaking order in view of the judgments passed in Saurabh Sharma's case and Ajay Kumar Singla's case (supra) after affording an opportunity of hearing to the petitioners, preferably within a period of 04 month from the date of receipt of certified copy of this order. Further, the decision taken thereon shall be conveyed to the petitioners".

In Compliance with the above said direction of the Hon'ble Court, I have carefully gone through the order dated 21.04.2026 and representation dated 07.08.2025 (P-9) vide which they have claimed the pay scale applicable upon them, according to the applicable rules and refix the pay accordingly. The petitioners were afforded with opportunity of hearing and and they submitted there written view point.

I have examined the claim raised by the petitioners and also considered the order of Hon'ble Court in CWP No. 15896 of 2023 tiled as Saurabh Sharma and others versus State of Punjab and another in which it was held that all candidate

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..."

The Service of petitioners are governed by the "The Punjab Educational (Teaching Cadre) Group C Service Rules, 2018 and The Punjab Educational (Teaching Cadre) Border Area 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 Service (Revised Pay) Rules, 2021, notified by the State of Punjab Vide Notification No. 09/01/2021-SFP1/671 dated 05.07.2021, these pay scales are not applicable to employees recruited on or after 17.07.2020. The relevant part of the said rules is reproduced below:-

" 2 (2) They shall not apply to the (b) Government Employee recruited in the service of 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 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."*

The petitioner have also relied upon the judgment dated 16.02.2023 passed by the Hon'ble Court in CWP No. 17064 of 2017 titled as Ajay Kumar Singla & others versus

State of Punjab and others, to substantiate their claim. It is apposite to mention that the State Government has already preferred a Special Leave Petition No. (Dairy No.) 27201 of 2023 against the order dated 16.02.2023 in CWP No. 31056 of 20108 titled as Anita and another vs State of Punjab & others. The Hon'ble Apex court vide order dated 22.09.2023 has stayed the contempt proceeding. Hence, the matter has not attained finality as yet & claim of the petitioners is not sustainable.

Accordingly, in compliance of the orders dated 21.04.2026 passed by the Hon'ble High Court & in light of the above said directions dated 05.01.2026 issued by the competent authority, i.e, The Department of Finance, Punjab, the pay of the Petitioners be refixed strictly as per instructions contained in para 5 of the said instruction dated 05.01.2026.

Sakatar Singh Bal, P.C.S
Director School Education (S.E),
Punjab

Endst. No. Even/2024292100

dated: 28.09.2026

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-5Branch), Civil Secretariat (II, Sector-9), Chandigarh.
2. Concerned District Education Officers (secondary) to fix the pay of the petitioner after getting it verified from the Section Officer/DCF A and send the report to this directorate.
3. Concerned Petitioners as per List through D.E.O (Secondary).
- ✓ 4. DPI (E.E) for passing order with respect to the petitioners under their administrative Control.


Assistant Director School Education

ਡਾਇਰੈਕਟੋਰੇਟ ਆਫ ਸਕੂਲ ਐਜੂਕੇਸ਼ਨ (ਐਲੀਮੈਂਟਰੀ) ਪੰਜਾਬ,

ਕੰਪਲੈਕਸ ਪੰਜਾਬ ਸਕੂਲ ਸਿੱਖਿਆ ਬੋਰਡ, ਬਲਾਕ-ਈ, ਫੇਜ਼-8, ਐਸ.ਏ.ਐਸ. ਨਗਰ।

(ਅਮਲਾ-2 ਸਾਖਾ)

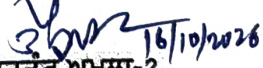
E-mail ID: dnice-establishment2@punjabeducation.gov.in

ਪਿੱਠ ਅੰਕਣ ਨੰ: E-1221226/2024292100

ਮਿਤੀ, ਐਸ.ਏ.ਐਸ. ਨਗਰ: 16/10/2026

ਦਫਤਰ ਡਾਇਰੈਕਟਰ ਸਕੂਲ ਐਜੂਕੇਸ਼ਨ (ਸੈਕੰਡਰੀ) ਪੰਜਾਬ (ਅਮਲਾ-4 ਸਾਖਾ) ਦੇ ਪੱਤਰ ਨੰ: ਹੁਕਮ ਨੰ: E-1109717/2026-ESTT-4(1)/2026272100 ਮਿਤੀ 28-09-2026 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੇ ਸਪੀਕਿੰਗ ਆਰਡਰਾਂ ਦੀ ਕਾਪੀ ਪਟੀਸ਼ਨਰਾਂ ਦੀ ਸੂਚੀ ਸਮੇਤ ਜਿਲਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਐਸ) ਪਟਿਆਲਾ ਅਤੇ ਫਿਰੋਜਪੁਰ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਐਲੀਮੈਂਟਰੀ ਕਾਡਰ ਦੇ ਪਟੀਸ਼ਨਰਾਂ ਦੀਆਂ ਤਨਖਾਹਾਂ ਵੀ ਇਨ੍ਹਾਂ ਸਪੀਕਿੰਗ ਆਰਡਰਾਂ ਅਨੁਸਾਰ ਕੀਤੀਆਂ ਗਈਆਂ ਹੋਣਗੀਆਂ ਸਨਮੁੱਖ ਫਿਕਸ ਕਰਨੀਆਂ ਯਕੀਨੀ ਬਣਾਈਆਂ ਜਾਣ।

ਜਿਲਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਐਸ) ਪਟਿਆਲਾ ਅਤੇ ਫਿਰੋਜਪੁਰ।


ਸੁਪਰਡੈਂਟ ਅਮਲਾ-2
ਚ.ਯ.