

**OFFICE OF DIRECTOR SCHOOL EDUCATION (SECONDARY)
PUNJAB, SAS NAGAR
(ESTABLISHMENT-4 BRANCH)**

Order No. 870695/2025/E-4(3)

Dated, SAS Nagar: 25.01.2026

Speaking Order

Sh. Jasvir Singh S/o Darshan Singh, Age 50 years, S.S. Master, Govt. High School, Patiala Cantt, Distt. Patiala R/o 766, Block-F, Azad Nagar, Sirhind Road, Patiala and another filed CWP No. 6422 of 2021 for stepping up their pay at par with the junior and for removal of anomaly in pay which accrued due to grant of ACP benefit at the time of revision of pay in the year 2011. The Hon'ble Punjab and Haryana High Court disposed of the petition vide order dated 17.11.2025. The relevant portion of the order dated 17.11.2025 is reproduced as below:-

"In view of the above and without commenting on the merits of the case, the present petition is disposed of with a direction to the respondents to consider and decide the case of the petitioners for fixing the pay afresh in light of finalization of seniority of Master Cadre within a period of three months from the date of receipt of a certified copy this order. Pending miscellaneous application(s), if any, stand(s) disposed of."

In compliance with above said direction of the Hon'ble Court, I have carefully gone through the order dated 17.11.2025, Govt. Instructions issued time to time in their matter and office record pertaining to claim of the petitioners. After perusal of the relevant record, it has come to notice that the petitioners initially joined in ETT/JBT Cadre on 13.05.1995 on adhoc basis and thereafter their services were regularized w.e.f 28.10.1996. Later on they were

promoted as S.S.Master in the year 2004 on regular basis and are seeking pay parity with their alleged Junior Raghuvinder Singh S/o Sh. Jugraj Singh who was appointed as ETT Teacher on 19.05.1995 on adhoc basis and thereafter his services were regularized w.e.f 29.11.1996. Later on he was promoted to the post of Punjabi Master.

Claim of the petitioners is to be considered in accordance with the instructions dated 21.06.1990 for re-fixation of their pay at par with their alleged junior i.e. private respondent No. 5. According to the aforesaid instructions dated 21.6.1990, the pay of senior employees could be brought at par with their juniors in the following circumstances:-

- a. Both the aforesaid Government employees should belong to the same cadre and the post in which they have been promoted should be identical in the same cadre.
- b. Both the aforesaid Government employees should be in the same scales of pay in the lower as well as in the higher post in which they are entitled to draw pay.
- c. The Government employee who is senior is promoted to the higher post without availing one or two proficiency step-up (s) and had been drawing equal or more pay than the Government employee who is junior.
- d. The promotions of both the aforesaid Government employees are regulated by the provisions of the same rules, and
- e. Their anomaly should be directly as a result of grant of one or two proficiency step up (s) or as a result of promotion to higher post after the grant

of one or two proficiency step up(s) on account of completion of eight years or eighteen years regular service in the same cadre. If in the lower post, the Government employee who is senior by virtue of fixation of pay under the normal rules or if any advance increment is granted to him, the provision contained in these instructions shall not be invoked to step-up the pay of the Government employee"

The petitioners and the private respondent No. 5 do not belong to the same feeder cadre because they had joined in different districts as ETT teachers. Petitioners joined in Bathinda district and respondent no. 5 joined in district Mansa as ETT teacher. Hence their claim for pay parity does not cover under para (a) the para 2 above. It is pertinent to mention that services of ETT teachers are governed by Punjab State Education Class-III (Primary School Cadre) Service rules 1997 and services of master cadre are governed by Punjab State Education Class-III(School Cadre) Service rules 2018. It is further submitted that ETT cadre is a district cadre. Seniority of ETT teachers of different districts is maintained separately at the concerned district of their recruitment. It is further submitted that for making promotions inter-se merit list of eligible candidates for different subjects is prepared separately. Common interse seniority of all the ETT Cadre teachers is not prepared for promotions. Hence in the absence of any one common seniority list, it cannot be construed that the petitioners are senior to the private Respondent No. 5. Consequently, the claim of the petitioners is not sustainable in the eyes of law on this score.

It is also apposite to mention that posts of Masters and Mistresses of different subjects are not same or equal in number. Hence, promotions in different subjects of Masters and Mistresses are made from time to time according to available number of posts. It is further submitted that in view of the available vacant posts of different subjects, claim of eligible persons from respective feeder cadres are considered up to a specific date of joining in the feeder cadre. Hence, date of joining of last selected candidates of different subjects are not same. Moreover inter-se merit lists of eligible candidates of different subjects are prepared separately. Hence comparison of one candidate with different subject cannot be made with candidate of another subject. In the present case, apart from the fact that the petitioner No. 1 and 2 and proforma respondent No. 5 belong to seniority lists of different Districts. Being in district cadre, they have been promoted in Master Cadre in different subjects. Petitioner No. 1 and 2 who joined in ETT Cadre on 13.05.1995 were promoted to the post of Social Studies Masters in the year 2004 whereas proforma respondent no. 5 was promoted to the post of Punjabi Master in the year 2007. It was because inter-se seniority/merit is prepared separately for different subject. Hence the petitioners and the proforma respondent do not belong to the same cadre as ETT teachers i.e. in the feeder cadre.

It is also matter of record that department has finalized the seniority of Master Cadre but in the meanwhile Department of Finance has issued instructions dated 09.05.2025 regarding the step up of pay of a senior employee in case of a pay anomaly with a junior government employee vide which it has been directed that the Government has implemented the recommendations of

5th Punjab Pay Commission with effect from 01.01.2016. As the new ACP Scheme for State Government employees is still under consideration, it has been decided to keep all cases involving pay anomalies between senior and junior employees on hold until a final decision regarding the new ACP scheme is taken by the Government.

After due consideration of the facts and circumstances of the case, I have come to the conclusion that claim of the petitioners for pay parity with their alleged junior cannot be considered at this stage in view of letter dated 09.05.2025 issued by Government of Punjab (Department of Finance). Hence their claims are kept pending and will be considered only after the issuance of instructions in this regard by the Department of Finance.

Gurinder Singh Sodhi P.C.S.

Director School Education (Secondary) Punjab

Endst. No. Even 202624405-410

Dated: 29/01/2026

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 5 Branch), Civil Secretariat II, Sector 9, Chandigarh.
2. District Education Officer (SE) Patiala, Bathinda and Mansa.
3. Concerned D.D.Os. (Through D.E.O.)
4. All Petitioners (Through D.E.O.)


Assistant Director School Education

FD-PP-2010(CWP)/54/2024-SFP2/

GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE
(Finance Personnel-2 branch)

Dated, Chandigarh: 09.05.2025

To

- i) All Special Chief Secretaries, Additional Chief Secretaries, Financial Commissioner, Principal Secretaries & Administrative Secretaries to Government of Punjab;
- ii) All Heads of the Departments of the State;
- iii) All Commissioners of Divisions;
- iv) The Registrar, Punjab and Haryana High Court, Chandigarh;
- v) All Deputy Commissioners & District & Session Judges and;
- vi) Secretary, Punjab Vidhan Sabha.

Subject:- Regarding the step-up of pay of a senior employee in case of a pay anomaly with a junior government employee.

Sir/Madam,

I am directed to inform you that the Government of Punjab (Department of Finance) issued instructions vide No. 6/46/10-1FP2/1555206/1 dated 22-08-2019, and other related instructions issued from time to time on the subject cited above, wherein the benefit of step-up of pay was granted to senior employees in cases where anomalies with junior employees arise.

2. The Government has implemented the recommendations of the 6th Punjab Pay Commission with effect from 01.01.2016. As the new ACP scheme for State Government employees is still under consideration, it has been decided to keep all cases involving pay anomalies between senior and junior employees on hold until a final decision regarding the new ACP scheme is taken by the Government.
3. Meticulous compliance of these instructions shall be ensured at the level of all departments.

Yours faithfully,


(Saroj)
Under Secretary Finance
&

- A copy each is forwarded to:-
- (i) The Principal Accountant General (Audit) Punjab, Chandigarh.

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Civil Writ Petition No. _____ of 2021

1. Jasvir Singh S/o Darshan Singh,
Age 50 years,
S.S. Master, Govt. High School, Patiala Cantt., Distt. Patiala
R/o 766, Block-F, Azad Nagar, Sirhind Road, Patiala.

2. Balkaran Singh S/o Sh. Harbans Singh,
Age 49 years,
S.S. Master, Govt. Middle School, Phoos Mandi,
Complex GSS School, Jassi Pauwali,
Tehsil & Distt. Bathinda,
R/o 2088-7A Street No. 15, Ajit Road Bathinda,

.....PETITIONERS

VERSUS

1. State of Punjab, through its Secretary,
Department of Education,
Punjab Mini Secretariat, Sector-9,
Chandigarh.
2. Director Public Instructions (S.E.) Punjab
B-Block, 4th Floor, PSEB Building, Phase VIII,
MOHALI.

3. District Education Officer (S.E) ,
Patiala.
4. District Education Officer (S.E) ,
Bathinda.
5. Raghuwinder Singh S/o Shri. Jugraj Singh
Govt. Sen. Sec. School, Moosa , Distt.- Mansa.

..... RESPONDENTS

CHANDIGARH,
DATED: 16.03.2021

(SHREESH KAKKAR) & (KAPIL KAKKAR)
PH-2080-2020 P-424-1986

(HEMA KAKKAR) & (GURNOOR SINGH)
P-1502-2000 PH-2511-2019
ADVOCATES
COUNSEL FOR THE PETITIONERS

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਾਅਕਣ ਨੰ: ਅ-1/1()2026/

ਮਿਤੀ 29.01.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬਧਤ ਸਕੂਲ ਮੁਖੀਆਂ ਸਸਸਸ/ਸਹਸ ਜਿਲਾ ਬਠਿੰਡਾ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਸਪੀਕਿੰਗ ਆਰਡਰ
ਸੰਬਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਨੋਟ ਕਰਵਾਏ ਜਾਣ ਅਤੇ ਕਾਰਵਾਈ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜਣੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ।


ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ)
ਬਠਿੰਡਾ