

OFFICE OF DIRECTOR SCHOOL EDUCATION (SECONDARY), PUNJAB

Punjab School Education Board Complex, Phase-8, SAS Nagar

(Email ID- adsadpi@punjabeducation.gov.in)

(Establishment-2 Branch)

Order No. E-943554-ESTT-2(2)

Dated: S.A.S Nagar: 21.02.2026

Speaking Order

Karan Kukkar, Science Master, Govt. Middle School Chak Balochan District Fazilka and other filed Civil Writ Petition No. 14213 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 5000/- from entry into service alongwith arrears and interest at 12% thereon in light of law settled in CWP no 15896 of 2023 titled as Saurabh Sharma and others vs. State of Punjab and another. The Hon'ble Punjab and Haryana High court disposed of the writ petition vide order dated 19.05.2025. The operative portion of the order is reproduced as below:-

"2. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the representation dated 18.02.2025, taking note of the aforesaid judgment, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon."

The petitioners were granted personal hearing on 05.01.2026 in the interest of justice to put forth their defence to substantiate their claim. They have claimed the pay scale applicable upon them, according to the applicable rules and refix the pay accordingly.

I have examined the claim raised by the petitioners and also considered the order of Hon'ble Court in CWP No. 15896 of 2023 titled 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 dated in terms of which the present Petition has been disposed of.

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 petitioner 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 the 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."

Accordingly, in compliance of the orders dated 19.05.2025 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 no. 5 of the said instruction dated 05.01.2026.

Gurinder Singh Sodhi, P.C.S
Director School Education (S.E), Punjab

Endst. No. Even/202651484

dated: 23-02-2026

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. Concerned District Education Officers (secondary) 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 D.E.O (Secondary).

Assistant Director School Education

ਦਫਤਰ ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠ ਅੰਕਣ ਨੰ: ਅ-1/1()2026/1004

ਮਿਤੀ 26.02.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ (Speaking Order- CWP 14213 of 2025) ਸਬੰਧਤ ਸਕੂਲ ਮੁੱਖੀਆਂ ਨੂੰ ਭੇਜਕ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਕਰਨੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ ਅਤੇ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ)
ਬਠਿੰਡਾ

Illustration No. 3 as per 05.01.2026 FD letter

3704 Master cadre joined on 26.02.2021 in the pay of level - 6 under 7th CPC scales with the entry pay of Rs. 35400/- but in Departmental Rules (Punjab Educational Teaching Cadre Group C Service Rules, 2018) the pay of Master Cadre is 10300-34800+5000 Grade Pay.

During Probation Period
Salary in Probation Period (26/02/2021 to 25/02/2024) = 35,400/- Basic only

After Clearance of Probation Period

Step 1: Calculate the Gross Pay on the basis of Departmental Rules (Punjab Educational Teaching Cadre Group C Service Rules, 2018) by including DA (and NPA if applicable) excluding all other allowances- 26-02-2024 with entry of Basic Pay 18450/- After Clearance of Probation Period

3704 Master Cadre	
Basic Pay	18450 (13450+5000 GP)
DA 212% (as on 26.02.2024)	39114
Gross (Basic Pay + DA)	57564

Step 2: Calculate the new pay as per 7th CPC (after clearance of Probation period)- 26-02-2024

3704 Master Cadre	
Basic Pay	35,400
DA 38% (as on 26.02.2024)	13452
Gross (Basic Pay + DA)	48,852

Since, The Gross pay (BP+DA) in Step no. 2 is less than as compared to step No. 1. The pay is fixed by protecting the Gross pay (BP+DA) in Step No. 1 and Basic Pay will be increased proportionally as Per Step no. 3

Step 3: Calculation of New Pay after protection in 7th CPC

3704 Master Cadre	
Let Basic Pay	x
DA	38%
Basic + DA	1.38x

$$1.38x = 57564$$

$$x = 57564/1.38$$

$$x = 41713.04$$

The figure so arrived be located in level = 6 (7th CPC), if the same figure is not in the said level, the next higher cell be the Basic Pay in the 7th CPC i.e. 42300 (Level=6, cell =7)

Once the Basic pay is fixed, the allowances as admissible under 7th CPC will be applicable to the employee from the date of Clearance of probation period- 26-02-2024

Now the new Gross Pay would be:

3704 Master Cadre	
Basic Pay	42300
DA 38% (as on 26.02.2024)	16074
Gross	58374

Salary after all allowances From 26-02-2024 to 31-10-2024 (With DA 38%) would be:

3704 Master Cadre	
Basic Pay	42300
DA (38%)	16074
HRA (8%)	3384
Medical Allowance	1000
Mobile Allowance	500
Gross salary	63258
Deductions	
NPS (10% of Basic+DA)	5837
GIS	120
Development Tax	200
Total Deductions	6157
Net Salary	57101

Salary after all allowances From 01-11-2024 to 31-01-2025 (with DA 42%) would be:

3704 Master Cadre	
Basic Pay	42300
DA (42%)	17766
HRA (8%)	3384
Medical Allowance	1000
Mobile Allowance	500
Gross salary	64950
Deductions	
NPS (10% of Basic+DA)	6007
GIS	120
Development Tax	200
Total Deductions	6327
Net Salary	58623

Salary after all allowances From 01-02-2025 to 31-01-2025 (with annual increment and DA 42%) in Level-5, Cell-8 would be:

3704 Master Cadre	
Basic Pay	43600
DA (42%)	18312
HRA (8%)	3488
Medical Allowance	1000
Mobile Allowance	500
Gross salary	66900
Deductions	
NPS (10% of Basic+DA)	6191
GIS	120
Development Tax	200
Total Deductions	6511
Net Salary	60389

Salary after all allowances From 01-02-2028 (with another annual increment and DA 42%) in Level-6, Cell-9 would be:

3704 Master Cadre	
Basic Pay	44900
DA (42%)	18858
HRA (8%)	3592
Medical Allowance	1000
Mobile Allowance	500
Gross salary	68950
Deductions	
NPS (10% of Basic+DA)	6376
GIS	120
Development Tax	200
Total Deductions	6696
Net Salary	62154