

**Director School Education (Secondary) Punjab, Complex Punjab School Education
Board, Block-E, Phase-8, SAS Nagar.**

(Establishment-2 Branch)

Order No. E-file – 950151/E-2(4)

Dated, S.A.S Nagar: 28.02.2026

Speaking order

1. The petitioner Garima Jain D/o Sh. Raj Kumar Jain alongwith others filed Civil Writ Petition No. 21334 of 2025 in the Hon'ble Punjab and Haryana High Court with the prayer to direct the respondents to grant the statutory pay scale to the petitioners i.e. 10300-34800+Grade Pay Rs. 5000/- and also to direct the respondents to grant the statutory pay scale as mandated in the Punjab Civil Services (Revised Pay) Rules, 2009 (Annexure P-7) and also in the letter issued by the Finance Department dated 08.12.2011 (Annexure P-8). The Hon'ble Punjab and Haryana High Court disposed of the petition vide its order dated 29.07.2025. The Operative part of the order is reproduced as under:-

" 1. Prayer made in the present petitions is for directing the respondents to grant the statutory pay scale to the petitioners as per the rules with regard to which reliance is placed on the judgment of this Court in Saurabh Sharma and others vs. State of Punjab and another, CWP-15896- 2023, which was allowed on 13.09.2024 against which LPA-2977-2024 has also been dismissed on 10.12.2024. Regarding the claim raised in the present petition, a representation dated 30.07.2024, Annexure P-14, has been submitted, which has yet not evoked any response. Learned counsel, on instructions, prays that a direction be given to the respondents to decide the same keeping in view the aforesaid judgment, in a time bound manner, to which learned State counsel has no objection.

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 respondent no. 5 to decide the representation dated 30.07.2024, taking note of the aforesaid judgment, within a period of 06 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."

2. In compliance with the above said orders of the Hon'ble Court, the petitioners were afforded opportunity of personal hearing on dated 21.11.2025 in this directorate. The petitioners who attended personal hearing have submitted their representations.

I have examined the said representation and the claim raised by the petitioners during personal hearing and has 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 candidates 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.

3. The services of petitioners are governed by the "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 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 part of the said rules 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.

4. 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.”*

5. Accordingly, in compliance of the orders dated 29.07.2025 passed by the Hon'ble High Court and 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 re-fixed strictly as per instructions contained in para 5 of the said instructions dated 05.01.2026.

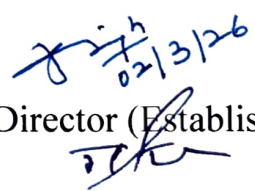
Gurinder Singh Sodhi,
Director School Education (Secondary),
Punjab

Endst. No. Even / 202656889

Dated: S.A.S.Nagar: 02-03-2026

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

1. All concerned District Education Officer(SE) Punjab with the instruction that copy of this order to the employee concerned by ensured at his level immediately.
2. Petitioners/Employees concerned through concerned District Education Officer (SE) Punjab.


Assistant Director (Establishment-2)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. 21334 OF 2025

MEMO OF PARTIES

1. Garima Jain aged 37 years D/o Raj Kumar Jain, # 90 Amrik Singh Road, Near Bhoj Raj School, Veer Colony, PO & District Bathinda 151001, (Aadhar No. 647641338796), Mob. No. 9988737075.
2. Varinder Jeet aged 40 years S/o Joginder Singh, R/o G-91, School Cum Canal Area, VTC Nilokheri, PO: Nilokheri, District: Karnal, Haryana, PIN Code: 132117, (Aadhar No. 357156531657), Mob. No. 9815897754.
3. Sandeep Singh aged 42 years S/o Pawan Kumar, VPO Narot Mehra Teh/District Pathankot, 145025, (Aadhar No.402356227110), Mob. No. 9888757289.
4. Amandeep Kaur aged 36 years D/o Sukhdev Singh, R/o Indra Puri Samana, District-Patiala 147101, (Aadhar No.856452688687) Mob. No. 9501808903.
5. Anuradha Rani aged 34 years D/o Harkarishan, R/o House no 22 Jheel Road prem nursery Fazilka 152123, (Aadhar No. 359846844845), Mob. No. 7837909751.
6. Ladwinder Singh aged 35 years S/o Jaswinder Singh, House no 629, Jakhal Road, Back Side Goyal Hospital, Ward No.3 Sunam Sangrur 148028, (Aadhar No. 567361347434), Mob. No. 8284800399.
7. Gurvinder Kaur aged 38 years D/o Harbhajan Singh, H. no. 41A, model town, phase 1, jandiala guru, Amritsar, (Aadhar No. 549816101462), Mob. No. 7589000590.
8. Sukhbir Kaur aged 32 years D/o Sarwan Singh, R/o village Doger, Fatehgarh Churian, District Gurdaspur, Tehsil Batala, (Aadhar No. 320527717031), Mob. No. 7837354033.

9. Meena Kumari aged 40 years D/o Gurmail Ram, R/o Ward No 5, Balachaur, Shaheed Bhagat Singh Nagar, Punjab-144521, (Aadhar No. 725489308406), Mob. No. 9530831481.
10. Sandeep Kaur aged 44 years D/o Som Nath, Vpo Sehzaad, District Ludhiana-142029, (Aadhar No. 916563795647), Mob. No. 9814202462
11. Jagbinder Jit Singh aged 43 years S/o Dharam Singh, Ward No.8, Dhariwal, Gurdaspur, Punjab, 143519 (Aadhar No. 690416367552), Mob. No. 9888882283.
12. Suresh Kumar aged 38 years S/o Hardayal, VPO Bamial, Teh. & District Pathankot 145027, (Aadhar No. 352777921048), Mob. No. 9018183133.
13. Sandeep Kaur Chahal aged 38 years D/o Baldev Singh, R/o Kot Jograj, Distt Gurdaspur-143528, (Aadhar No. 924054768434), Mob. No. 7901873163.
14. Heena aged 36 years D/o Ashwani Kumar Gulla , R/o # 3018, DHAMOLI ROAD RAJPURA TOWN, VTC: Rajpura, PO Rajpura, Sub District: Rajpura, District: Patiala, Punjab, PIN Code: 140401 (Aadhar No. 456458016845), Mob. No. 6239940371.
15. Balwinder Singh aged 44 years S/o Harjeet Singh, R/o Kamre Wala road, Near old satguru rice mill, ward no. 8, Jalalabad, DIST Fazilka 152024, (Aadhar No. 936991783002), Mob. No. 9464804065.
16. Astha aged 39 years D/o Raj Kiran, House Number #1701, Street Number 1, Near Nestle, Guru Ram Dass Nagar, Moga, PO: Moga, District Moga, Punjab, 142001, (Aadhar No. 679486102657), Mob. No. 6283876298.
17. Rubi aged about 36 years W/o Manish Goyal, resident of VIP Colony, plot no. 7, Devi Wala Road, VTC Kapura, PO Kotkapura district Faridkot (Punjab)151204, phone no. 9877443588, aadhaar no. 941697400240


PETITIONERS

VERSUS

1. State of Punjab, through its Secretary, Department of School Education, Punjab Civil Secretariat-, Sector 9, Chandigarh.

2. State of Punjab (Finance Department) through the Principal Secretary to Government of Punjab, Punjab Civil Secretariat, Chandigarh.
3. State of Punjab (Department of Personnel) through the Secretary to Government of Punjab, Punjab Civil Secretariat, Chandigarh
4. The Punjab School Education Board, Vidya Bhawan (Punjab School Education Board) Block-'E', 4th Floor, Phase-VIII, Ajitgarh (Mohali) (Punjab).
5. The Director Public Instructions (Secondary Education) Vidya Bhawan (Punjab School Education Board) Block-'E', 4th Floor, Phase-VIII, Ajitgarh (Mohali) (Punjab)

Chandigarh
Dated:20.07.2025


(Sube S. Kaushik & Mandeep Singh Jangu)
Advocates
Counsel for the Petitioners
P/1136/2023 & P/4949/2017
PH:225108