

Government of Punjab  
Department of School Education  
(Education-5 Branch)

Speaking Order

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2/14  
m-1

No. SED-EDU405/42/2026-1EDU5/

Dated, Chandigarh:

Smt. Amrit Kaur, Math Mistress, Government High School, Bhadla Nicha Khana-2 District Ludhiana and 20 others, filed Civil Writ Petition No. 25055 of 2025 in the Hon'ble Punjab and Haryana High Court with the prayer to grant the statutory pay scale to the petitioners as per 2009 Rules i.e. 10300-34800 + Grade Pay 5000/- from entry into service along with arrears and interest at 12% thereon with future pay revisions in the light of law settled in CWP No. 15896 of 2023 titled as *Saurabh Sharma and others vs State of Punjab and others* and in CWP No. 17064 of 2017 titled as *Ajay Kumar Singla and others vs State of Punjab and others*. The Hon'ble Punjab and Haryana High court disposed of the writ petition vide order dated 27.08.2025. The operative portion of the order is reproduced as below:

"The Respondent No. 1 is directed to decide the representation dated 07.02.2025 (Annexure P-9) in the light of the judgments passed by this Court in CWP- 15896-2023 (O&M), titled as "Dr. Saurabh Sharma and others Vs. State of Punjab and others." And CWP-17064-2017, titled as "Ajay Kumar Singla and others Vs. State of Punjab and others" and to take a decision by passing a well reasoned and speaking order within a period of four months from today.

In case, the petitioners are found entitled to any relief, the same shall be released to them along with reasonable rate of interest within a period of two months, thereafter.  
Disposed of."

In compliance with the above said directions of the Hon'ble Court, I have carefully gone through the order dated 27.08.2025, order dated 13.09.2024 passed by the Hon'ble Punjab & Haryana High Court in CWP No. 15896 of 2023 titled as *Saurabh Sharma and other versus State of Punjab & another*, judgment dated 16.02.2023 passed in CWP No. 17064 of 2017 titled as *Ajay Kumar Singla and others Vs. State of Punjab and others*, and representation dated 07.02.2025 (P-9)

I have examined the claim raised by the petitioners through their representation and also considered the order of the 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 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 the petitioners is 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 provides, "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. 09/01/2021-5FP1/671 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 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 6<sup>th</sup> 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, the Department of Finance, Punjab, has issued instructions 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 instructions 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 petitioners 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 Vs. State of Punjab & others*, to substantiate their claim. It is apposite to mention that the State Government has already preferred a Special Leave Petition No. (Diary No.) 27201 of 2023 against the order dated 16.02.2023 in CWP No. 31056 of 2018 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 proceedings. Hence, the matter has not attained finality as yet & claim of the petitioners is not sustainable.

Accordingly, in compliance of the orders dated 27.08.2025 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 is hereby directed to be refixed strictly as per instructions contained in para 5 of the said instruction dated 05.01.2026.

Sonali Giri, IAS

Secretary to Government of Punjab  
Department of School Education

Dated: Chandigarh  
18.04.2026

Endst. No. SED-EDU405/42/2026-1EDU5/1372367(2) Dated: Chandigarh: 20/4/2026

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

- Director School Education (Secondary) Punjab.
- 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.
- Concerned Petitioners.
- D.P.I (EE).

*Mandukh*  
Superintendent

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਾਅੰਕਣ ਨੰ: ਅ-1/1( )2026/ 1102

ਮਿਤੀ 2.6.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬਧਤ ਸਕੂਲ ਮੁਖੀਆਂ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਸਪੀਕਿੰਗ ਆਰਡਰ ਸੰਬਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਨੋਟ ਕਰਵਾਏ ਜਾਣ ਅਤੇ ਕਾਰਵਾਈ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਵਿਖੇ ਜਮਾ ਕਰਾਉਣੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ।

*Mandukh*  
ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ)  
ਬਠਿੰਡਾ