

SED-EDU201/87/2026 JEDU2
GOVERNMENT OF PUNJAB
DEPARTMENT OF SCHOOL EDUCATION
(EDUCATION II BRANCH)

Dated: 18.05.2026

Speaking Order

Miss Deepka, Lecturer Chemistry, School of Eminence, Bajwa
Kapur Block Shahkot 11 District Jalandhar and 19 others, filed Civil Writ
Petition No. 25842 of 2025 before the Hon'ble Punjab and Haryana High
Court seeking issuance of a writ in the nature of mandamus directing the
respondents to grant the statutory pay scale to the petitioners as per 2018
Rules viz. 10300-34800+ Grade Pay Rs. 5400/- from entry into service
along with arrears and interest at 12% thereon. The petitioners further
prayed for issuance of writ directing the respondents to take into account the
statutory pay scale of Rs. 10300-34800+Grade Pay Rs. 5400/- with
further pay revisions. The petitioners also prayed for directing the
respondents to quash the instructions dated 17.07.2020 and 21.10.2020
(Annexures P-4 and P-5 respectively)

The Hon'ble Punjab and Haryana High Court disposed of the aforesaid
petition vide order dated 01.09.2025. 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."*

The petitioners claim has been considered in the light of
instructions dated 05.01.2026 issued lately by the Department of Finance
in this matter. They have claimed the pay scale applicable upon them,
according to the applicable rules and relaxation of the pay accordingly.

In compliance with the above said orders of the Hon'ble Court, I
have examined the claim raised by the petitioners and also considered the
orders 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 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. 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..."

And whereas, the services of the petitioners are governed by the The Punjab Educational (Teaching Cadre) Group-B Service Rules, 2018 and The Punjab Educational (Teaching Cadre) Border Area Group-B 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 the 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 the 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, 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 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. 7/204/2012-4FPI/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 01.09.2025 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 re-fixed strictly as per instructions contained in para 5 of the said instructions dated 05.01.2026.

Dated, Chandigarh.

18.05.2026

Sonali Giri, IAS

Secretary to Government of Punjab,

Department of School Education, Punjab.

Endst No Even. 1/1400225/2026 (13)

dated: 18.05.2026

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

1. Director, School Education (Secondary) Punjab.
2. Concerned District Education Officers (SE) to fix the pay of the petitioners after getting it vetted from the Section Officer/DCFA and send the report to this directorate. Copy of letter dated 05.01.2026 is attached for reference w.r.t. fixation of pay.
3. Concerned petitioners (as per list) through the concerned D.E.O. (SE).

Sonali Giri

Under Secretary

ਦਰਸ਼ਨ ਸਿੰਘ ਸਿੱਲਮ, ਮਾਡਰਨ ਟੀ, ਢਲੋਂ
ਪਿੰਡ ਮੰਦਰਾ ਮ-61, (1) 2026/1986 17/05/26

ਉੱਚੇ ਪਾਠ ਵਿਭਾਗ ਵਿੱਚ ਸੇਵਾ ਵਿੱਚ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਣ ਵਾਲੇ ਸਿੱਲਮ ਸਿੱਖ ਸਕੂਲ ਵਿੱਚ ਸੇਵਾ ਵਿੱਚ ਸ਼ਾਮਲ ਕੀਤੇ ਗਏ।
ਕਾਨੂੰਨੀ ਤੌਰ 'ਤੇ ਸੇਵਾ ਵਿੱਚ ਸ਼ਾਮਲ ਕੀਤੇ ਗਏ।

18/05/26
17/05/26