

Office of Director Public Instruction (SE) Punjab
Punjab School Education Board Complex, Phase-8 SAS Nagar
(Ministerial Establishment Branch)

Order No. F-office-146980 MI (7)

Date: 19-5-2021

Speaking Order

Shri Rajnish Kumar Arora S/o Bhagwan Dass Arora, Junior Assistant at GSSS Ullana Patiala and 71 others filed Civil Writ Petition No. 23398 of 2019 titled as Rajnish Kumar Arora and others V/s State of Punjab before the Punjab and Haryana High Court seeking directions to the respondents to step-up the pay of the petitioners who were appointed between the year 1997-2002 (Before 01-01-2002) equivalent to their junior employee namely Sh. Barnjit Singh Clerk Ghs Jeondan (Bathinda) appointed after 2004 who has been granted more pay on account of grant of ACP benefit in the revised pay scale after 1-12-2011 and 1-12-2016 whereas, the petitioners were granted the ACP benefit under the unrevised pay scale prior to them, which has created anomaly in fixation of pay of the petitioners and the pay of the juniors have been fixed on 1-12-2011 at Rs. 13910/- and on 1-12-2016 at Rs. 17050/- whereas, the pay of the petitioners despite seniors, have been fixed at Rs. 13500/- on 1-12-2011 and Rs. 16750/- on 1-12-2016, therefore the petitioners are entitled for stepping up of their pay to bring it at par with their juniors. The Hon'ble High Court disposed of the petition vide its order dated 29-08-2019, the relevant extract whereof which is reproduced as under: -

"Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the legal notice dated 27.03.2019 (Annexure P-11) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law."

That one petitioner Jagtar Singh filed COCP NO. 114 of 2021, Titled as "Jagtar Singh V/s State of Punjab in CWP 23398 of 2019 disposed off vide order dated 18-01-2021, the relevant extract whereof which is reproduced as under: -

Which was the petition held a COCP No. 114 of 2021 "Accordingly, in view of the position noted above as well as statement of learned counsel for the parties, the Contempt Petition is disposed of as not pressed at this stage while directing respondent No.1 to adhere to the assurance held out by him through learned State Counsel and to decide the claim made in legal notice dated 27.03.2019, within four weeks from today."

decision taken thereon to the petitioner within 10 days thereafter. Needless to mention, in case the needful is not done within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the Contempt Petition."

In due compliance of the above said directions of the Hon'ble High Court, the contents of the legal notice dated 27.03.2019 (Annexure P-11) have been perused. The petitioners have raised the claim that the employee junior to them, namely Barnjit Singh, who has been appointed as clerk on 27-5-2004 and his seniority number is 1930 in the seniority list of clerks/ junior Assistants. Petitioners No. 66 and 67 have relinquished their claim by submitting self – declaration to the Department. Petitioners No. 3, 14, 15, 20, 21, 23, 42, 44 and 70 have already got benefits with their junior employees. Salary is not fixed of the petitioner No. 30.

From the perusal of the official record pertaining to this case, it has been revealed that Sh. Barnjit Singh was appointed as clerk on 27-5-2004 and his seniority numbers is 1930 in the seniority list of clerks/Junior Assistants. All the petitioners in the present case are senior to that of Barnjit Singh, hence, the case for stepping up the pay of all petitioners at par with Sh. Barnjit Singh was referred to the Section Officer and Deputy Controller (finance and Accounts) posted in this office for vetting. They have tendered their advice that as per instructions issued by the Government from time to time, that pay of the petitioners, needs to be stepped-up at par with their junior employee i.e., Sh. Barnjit Singh.

Moreover, the office has also examined the claim of the petitioners in view of the Government instructions, Government of Punjab, Department of Finance in its latest instructions issued vide no. 6/46/10-1FP2/1555206/1 dated 22-8-2019 that if due to grant of benefit of Assured Career Progression Scheme in the pay scales re-revised after 2011 and 2016, the pay of some senior Government employees gets fixed at a level lower than the pay of their junior employees, then pay of such senior employees shall be stepped up to the level of the pay of junior employees subject to certain conditions.

In view of the position explained above, sanction is hereby accorded to step-up the pay of the following petitioners at par with the pay, being drawn by Sh. Barnjit Singh Clerk GHS Jeondan District Bathinda subject to following conditions: -

1. Senior Employees (Concerned Petitioners) should not have been without pay at any time.
2. No court case or departmental action/enquiry should be pending against the concerned Senior Employees (Concerned Petitioners)
3. Senior Employees (Concerned Petitioners) should not have been punished by the department at any time, which would effect his pay.

Senior employees (Concerned Petitioners) should have not taken relief of Junior earlier at any time.

Petitioner No.	Name of the Petitioner and Place of Posting Sh /Smt	Seniority No	Date from which pay of the petitioner is stepped-up at par with Sh. Baranjit Singh Junior Assistant	Stage at which pay of the petitioner is refixed
1	Rajnish Kumar Arora, Junior Assistant Gsss Ullana, Patiala	936	1-1-2016	16550
2	Gurpreet Singh chahal Junior Assistant, Gsss Ghuman Kalan Gurdaspur	743	20-7-2018	18100
3	Vineet Kumar Junior Assistant, Ghs Lehal Gurdaspur	1563	This Petitioner has already got benefits at par with his junior employee. So he cannot get benefits at par with junior employee Baranjit singh .	
✓ 4	Varinder Singh, Junior Assistant, Gsss Biroke Kalan Mansa	1193	20-7-2018	18100
5	Satwinderpal Singh Junior Assistant, Gsss Heor Khurd Mansa	1248	20-7-2018	18100
6	Rajinderpal Singh Junior Assistant, DEO(SE) Mansa	1170	20-7-2018	18100
✓ 7	Harish Kumar, Junior Assistant, Gsss Phaphre Bhaike Mansa	838	20-7-2018	18100
✓ 8	Gurpreet Singh, Junior Assistant, GHS Khokar Kalan, Mansa	1072	20-7-2018	18100
✓ 9	Aman Kumar Punj Junior Assistant, Gsss Karandi Mansa	870	20-7-2018	18100
✓ 10	Mandeep Singh Junior Assistant, Gsss (Boys) Bhikhi Mansa	975	20-7-2018	18100
✓ 11	Harjeet Singh Junior Assistant, Gsss Moosa Mansa	1156	20-7-2018	18100
✓ 12	Gurlal Sharma Junior Assistant, Gsss Jhanuke, Mansa	861	1-1-2016	16550
✓ 13	Sushil Jain, Junior	1376	1-1-2016	16550

	Assistant, Gsss (Boys) Sardul Garh Mansa			
14	Baljit Singh, Junior Assistant, DEO (SE) Sri Muktsar Sahib	1626	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit Singh.	
15	Shaminder Singh, Junior Assistant, Govt. College Sri Muktsar Sahib	1627	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit Singh.	
16	Baljit Singh Junior Assistant, Gsss Bhular Sri Muktsar Sahib	850	1-1-2016	16550
17	Sandeep Kumar, Junior Assistant, Gss Udakaran Sri Muktsar Sahib	1141	20-7-2018	18100
18	Amardeep Singh Junior Assistant, DEO(SE) Sri Muktsar Sahib	1093	20-7-2018	18100
19	Dalot Singh Junior Assistant, Govt. College Muktsar Sahib	884	1-1-2016	16550
20	Leela Sharma Junior Assistant, Gsss Lalbai Sri Muktsar Sahib	1642	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit Singh.	
21	Satinder Pal Junior Assistant, Gsss Killiawali Pind Sri Muktsar Sahib	1628	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit Singh.	
22	Sukhraj Singh Junior Assistant, GHS Bhangawala Sri Muktsar Sahib	1402	15-12-2011	13910
23	Amandeep Junior Assistant, Gsss Sotha Sri Muktsar Sahib	1815	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit Singh.	
24	Amandeep Singh, Junior Assistant, Gsss Burjsidhwala Sri Muktsar Sahib	1040	20-7-2018	18100
25	Sarabjit Kaur Junior Assistant, Gsss Tharajwala Sri Muktsar Sahib	1248	20-7-2018	18100
26	Gurpreet Singh, GHS Junior Assistant, peori Sri Muktsar Sahib	1070	20-7-2018	18100
27	Rupinderjit Singh Junior Assistant, DEO(SE) Sri Muktsar Sahib	1209	20-7-2018	18100
28	Amanpreet Singh			

	Assistant, GHS Kala tarantarn	Makhi			
30	Kakramjit Singh, Assistant, GHS tarantarn	Junior kullah	1019	20-7-2018	18100
31	Paramjit Kaur, Assistant, Gss Wind Ferozepur	Junior chuchak	--	This petition's Salay is not fixed.	
31	Bhupinderjit Junior Assistant, Gss sSalma Moga	Bikram	894	1-1-2016	16550
32	Harjeet Singh, Assistant, Kharamkot-2 Moga	Junior PBEO	903	20-7-2018	18100
33	Anam Gupta, Assistant, Gss Pathankot	Junior chashma	1242	20-7-2018	18100
34	Jaswinder Singh, Qadian Gurdaspur	BPEO	1440	20-7-2018	18100
35	Baljinder Iqbal Singh, Junior Assistant, Gss Khojala Gurdaspur		1130	20-7-2018	18100
36	Kakhshish Singh, Assistant, Gss Gurdaspur	Junior Massanian	1350	20-7-2018	18100
37	Gurdev Singh, Assistant, PBEO -1 Gurdaspur	Junior Dhariwal	1338	1-1-2016	16550
38	Pardeep Kumar, Assistant, Gss Taragarh Pathankot	Junior (Boys)	1179	20-7-2018	18100
39	Munesh Kumar, Assistant, PBEO pathankot	Junior Dhar-2	1572	15-12-2011	13910
40	Vivek Mahajan, Basroop Pathankot	Gss	1387	15-12-2011	13910
41	Sunil Kumar, Assistant Gss Abohar Fazilka	Junior sSayadwala	1285	15-12-2011	13910
42	Hitender Kumar, Assistant, Gss Fazilka	Junior Maujgarh	1784	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit singh.	
43	Rajeev Sidana, Assistant, Gss Abohar Fazilka	Junior (girls)	1418	20-7-2018	18100
44	Parminderpal Singh, Junior Assistant, Gss ghuban Fazilka		1608	This Petitioner has already got benefits at par with his Junior employee. So he cannot get benefits at par with junior employee Baranjit singh.	
45	Sarve Mittar Gupta, Assistant, Gss Sangrur	Junior Ladda	1212	20-7-2018	18100
46	Muzwinder D.		1100	20-7-2018	18100

47	Junior Assistant, DIET Sangrur Amritpal Singh	1009	20-7-2018	18100
48	Junior Assistant, DIET Sangrur Mangaldeep Singh	1272	20-7-2018	18100
49	Junior Assistant, GHS Kauni Faridkot Mohamd Faisal	1699	15-12-2011	13910
50	Junior Assistant, Gss (Girls) Malerkotla Sangrur Jagtar Singh	879	20-7-2018	18100
51	Junior Assistant, BPEO Amritsar-1 Sanjiv Kumar Kaur	1160	20-7-2018	18100
52	Junior Assistant, Govt. College Karamsar Ludhiana Ravinder Singh	1541	15-12-2011	13910
53	Junior Assistant, Gsss Chakar Ludhiana Beant Singh	1792	15-12-2011	13910
54	Junior Assistant, Gss Gorsian Kadar Baksh Ludhiana Gurbakhash Singh	1421	20-7-2018	18100
55	Junior Assistant, GHS Dehrka Ludhiana Harvinder Singh	1411	20-7-2018	18100
56	Junior Assistant, Gss Chak Kalan Ludhiana Harjot Singh	948	20-7-2018	18100
57	Junior Assistant, BSSG Govt. College Sidhar Ludhiana Amandeep Singh	1477	15-12-2011	13910
58	DEO(SE) Patiala Bikramjit Singh	1430	1-1-2016	16550
59	Junior Assistant, DEO(SE) Patiala Sukhbir Singh	1272	1-1-2016	16550
60	Junior Assistant, DEO(EE) Patiala Hatinder Pal	1054	1-1-2016	16550
61	Junior Assistant, BPEO Ghanour Patiala Sukhraj Singh	1524	1-1-2016	16550
62	Junior Assistant, GHS Saidowal Kalan Gurdaspur Kuldeep Rai	1442	1-1-2016	16550
63	Junior Assistant, GHS Gounspura Gurdaspur Anoop Singh	1191	1-1-2016	16550
64	Junior Assistant, Gsss Batal Gurdaspur Suman Bala	1415	1-1-2016	16550
65	Junior Assistant, GGsss Saidowal Narinder Singh	1159	20-7-2018	18100

68	Sunder Assistant, Amritsar	Singh	Junior DFO(SE)	--	This petitioner has relinquished his claim by submitting self declaration to the Department	
69	Naveen Assistant, Amritsar	Singh	Junior GIS Odhar	--	This petitioner has relinquished his claim by submitting self declaration to the Department	
70	Shelly, Junior Assistant, D.O.(F) Ludhiana			979	20-7-2018	18100
71	Gurvinder Singh Assistant, GMSSS Ludhiana			1349	20-7-2018	18100
72	Rajni Assistant, Giss Dugri Roop Nagar	Bala	Junior	1370	This Petitioner has already got benefits at par with his junior employee. So, he cannot get benefits at par with junior employee Baranjit singh.	
73	Harpreet Assistant, Gsss Harchowal Batala Gurdaspur	Kaur	Junior		20-7-2018	18100
74	Ved Assistant, Gsss wala Fazilka	Parkash	Junior Bakain		20-7-2018	18100

The pay of above petitioners is re-fixed subject to the condition that the date of next annual increment of each of the petitioner will be at par with Sh. Barnjit Singh, Junior Assistant. Moreover, as per instructions issued by Government, arrear in this regard will only be admissible for 38 months from the date 27-5-2019 of such application. In the present case, date of filing of the present writ petition shall be treated as date of filing the application for the purpose of calculating the arrears. Concerned drawing and disbursing officers will ensure to re-fix the pay of the petitioners as per this order.

Thus, the claim of the petitioners stands redressed.



Sukhjeet Pal Singh, PCS

Director Public Instructions (SE) Punjab

Endst. No. Even 202161128

Dated: 20-5-2021

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

- 1 PA/ DPI(SE) Punjab.
- 2 Nodel Officer (Legal, O/o DPI(SE) Punjab.
- 3 Concerned District Education Officer (SE/EE)
- 4 Concerned BPEO's.
- 5 Concerned Petitioners.

ਦਰਅਤ ਕੋਲੋਂ ਜਿਥੇ ਮਿਸ਼ਨਰ (ਜੀ ਐ) ਕਾਰਜਾਂ *Narinder Singh*
 Superintendent (ME)

ਪਿਛਲੇ ਨੰ. ਮ-2/1 (1) ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ/ਦੁਕੀ ਨੰ. 2021002 ਪਿਛਲੇ ਨੰ. 20/5/21
 ① ਉਕਤ ਦਾ ਫਿਲੋ ਨੰ. 93398/2419 ਦਾ ਉਕਤ ਜਵਾਬ ਨੂੰ
 ਮੁਖੀ ਮਿਸ਼ਨਰ ਤੋਂ ਦੁਕੀ ਤੇ ਕੋਈ ਕਾਰਵਾਈ ਫਿਲੋ ਤੋਂ ਕੀਤੀ ਜਾਂ
 ਜਾਵੇ ਤਾਂ
 ② ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ/ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ/ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ
 ਮੁਖੀ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ/ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ
 ③ ਮੁਖੀ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ/ਜਿਥੇ ਮਿਸ਼ਨਰ ਕਾਰਜਾਂ