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A consultancy firm to provide help for the problems of govt. employees & retired pensioners

## PERFORMA

### To remove the pay anomaly between Senior – Junior Art & Craft Teachers (ENGLISH CAPITAL LETTERS)

Sr.No.	
Name & Father Name	
Designation	
School	
Date Of Birth	
Aadhar Card No.	
Date Of Regular Joining	
Mobile Number & Whatsapp Number:-	
Email Address	
Residance Address & Distt	
Signature	

Important Points:-

Paytm Payment Mobile Number:- 9915031482  
Google Pay Payment Mobile Number:- 9915031482  
PhonePe Payment Mobile Number:- 9915031482

1. Send one copy of performa by whatsapp and one by post.
2. Send one copy of Power of Attorney by whatsapp and one by post.
3. Send one copy of Aadhar Card by whatsapp and one by post.

<b>State Bank of India Budhlada</b>
<b>Distt. Mansa(Punjab)</b>
<b>Current A/c No.39453963229</b>
<b>In Favour of: Krishana Consultancy</b>
<b>IFSC Code: SBIN0050050</b>
<b>Whatsapp No - 98157-13297</b>

# POWER OF ATTORNEY

In the Court of .....

..... [ Plaintiff/Appeallant  
Complainant  
Petitioner

**VERSUS**

..... [ Defendant  
Respondent,  
Accused

**KNOW ALL** to whom these present shall come that I/We undersigned appoint

for the ..... in the above mentioned case to do all the following acts deeds and things or any of them that is to say :-

1. To act appear and plead in the above mentioned case in the court or any other Court in which the same may be tried or heard in the execution or in any stage of its progress until its final decision.
2. Present pleading appeals letter patent appeal cross objection or petitions for execution review, revisions withdrawal compromise or other petitions or affidavit or other documents as shall deemed necessary or advisable for the prosecution of the said case in all its stage.
3. To file and take back documents and to file application for restoration there of in case it is dismissed in default.
4. To withdraw or compromise the said case or submit for arbitration any difference or disputes that shall arise touching or in any manner relating to the said case.
5. To deposit draw any receive money and grant receipt there of and to do all other acts and things which may be necessary to be done for the progress and in the case of prosecutions of said case.
6. To employee and other legal practitioner authorising him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

And I/We hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

And I/We hereby agree not to hold the Advocate or his substitute responsible for the result of said for hearing case in consequence from the court when the said case is called up or for any negligence of the said Advocate or his substitute.

And I/We hereby agree that in the event of whole or any part of fee agreed by me to be paid to the Advocate, remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid if any costs are allowed for an adjournment the advocate would be entitled to the same.

**IN WITNESS WHERE OF** I/We agree to set my/our hands to the represent the contents of which have been explained to understand by me/us this the .....

.....day..... 20.....

(Signature or Thumb Impression of client)

Accepted :

**To remove the pay anomaly between Senior – Junior P.T.I.  
And Art & Craft Teachers which has occurred due to  
implementation of ACP 4 year benefits to the juniors**

<b>Senior C&amp;V Teacher</b>			<b>Junior C&amp;V Teacher</b>		
<b>Ravinder Kumar Art &amp; Craft Teacher, Govt. High School, Ahmedpur, Distt. Mansa.</b>			<b>Simranjit Singh Art &amp; Craft Teacher, Govt. High School, Tolawal, Complex Govt. Sen. Sec. School, Dharamgarh, Distt. Sangrur.</b>		
<b>Dated</b>	<b>Basic Pay</b>	<b>Remarks</b>	<b>Dated</b>	<b>Basic Pay</b>	<b>Remarks</b>
30/07/2007	10300+3200=13500	Pay Fixation	————	————	————
01/07/2008	10710+3200=13910	Annual Increment	11/07/2008	10300+3200=13500	Pay Fixation
01/07/2009	11130+3200=14330	Annual Increment	01/07/2009	10710+3200=13910	Annual Increment
01/07/2010	11560+3200=14760	Annual Increment	01/07/2010	11130+3200=14330	Annual Increment
01/07/2011	12010+3200=15210	Annual Increment	01/07/2011	11560+3200=14760	Annual Increment
30/07/2011	12470+3600=16070	4 Years ACP	01/10/2011	13020+4400=17420	Grade Revision
01/10/2011	13020+4400=17420	Grade Revision	<b>11/07/2012</b>	<b>13550+4400=17950</b>	<b>4 Years ACP</b>
<b>11/07/2012</b>	<b>13020+4400=17420</b>	————	01/10/2012	14090+4400=18490	Annual Increment
01/10/2012	13550+4400=17950	Annual Increment	————	————	————

Difference of basic pay on 11-07-2012=(17950-17420=530)

**OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS  
(SECONDARY EDUCATION) PUNJAB  
(Establishment-5 Branch)**

Order No: 20/75-2018- Estt-5(1)  
Dated, SAS Nagar: 03/07/2019

Sh. Ravinder kumar A/a 32 years Art and Craft Teacher, S/o Sh. Jagdish Rai, , Govt High School, Ahmedpur, District Mansa and 11 others, (whose detail is at Annexure-I to this order) filed Civil Writ Petition No. 10807 of 2018 in the Hon'ble Punjab and Haryana High Court. The precise grievance of the petitioners is that though they are senior to the respondent No. 5 but they are being paid less pay. In this regard a Legal Notice dated 25/10/17 have been served through their counsel to step their pay at par with their junior.

The undersigned has perused the contents of legal notice dated 25/10/17 alleged to have been served on behalf of the petitioners, official records pertaining to this matter as produced before the undersigned and other relevant factors. In the said legal notice, the petitioners have contended that they are working as PTI and Art and Craft Teachers since the years of 2006 and 2007 in the Department of Education. The petitioners have claimed that they are getting the pay of Rs. 17420/- while the junior teachers, who joined the services after the petitioners, have been given the benefit of ACP and they are getting pay of Rs. 17950/-. The petitioners have claimed that one Sh. Simranjit Singh who joined the Department as Art and Craft Teacher on 11.7.2008 is getting more pay as compared to them.

2. It is claim of the petitioners that the pay anomaly of similar employees in other districts have been removed but the anomaly of the petitioners have not been removed and the petitioners have also not been the granted the benefit of ACP .

3. It is claim of the petitioners that pay scales of employees were revised with effect from 1.1.2006. The Classical and Vernacular Teachers were given the pay



scale of Rs. 10300-34800+3200 Grade Pay. Their Basic pay as well as that of their junior employee, namely Sh. Simranjit Singh, was fixed as Rs. 13500/- (Initial pay) w.e.f. the date of their joining. The pay scales of teaching personnel were further revised with effect from 1.10.2011 and C&V Teachers were given pay scale of Rs. 10300-34800 + Grade pay of Rs. 4400/- with initial pay of Rs. 17420/- . In view of revision of pay scales, their pay as well as that of their junior was fixed at Rs. 17420/- as on 1.10.2011. They were given benefit under Assured Career Progression Scheme in the year of 2010 and 2011 and they were given Grade pay of Rs. 3600/- The said benefit of ACP was merged when their pay scales were re-revised with effect from 1.10.2011. On the other hand, Sh. Simranjit Singh was given the benefit under ACP scheme on 11.7.2012 on completion of 4 years of service and he started getting pay of Rs. 17950/- on the said date, whereas the petitioners were getting pay of Rs. 17420/- on the said date. Hence, pointing towards this resultant anomaly, they have claimed parity of pay with Sh. Simranjit Singh as on 11.7.2012, who is junior to them, by raising their pay from Rs. 17420/- to 17950/-.

4. The contentions of the petitioners have been perused. Before concluding the claim of the petitioners, it is relevant to take note of the fact that there does not exist any distinctive cadre of Classical and Vernacular Teachers. The various categories of teachers like Sewing Teachers, Drawing Teachers, Language Teachers, PTI, Art and Craft Teachers forms generally understood to belong to the category known as Classical and Vernacular Teachers, which is a broader nomenclature. Otherwise, qualifications and pay scales of above said various categories of teachers are entirely different altogether. Each category of such teachers has a separate cadre and seniority of such Teachers like PTI and Art and



Craft Teachers is maintained at the level of respective district in which such teachers are appointed.


5. On perusal of contents of legal notice, it has come forth that the petitioners No. 2 to 5, 7 and 8 are working as PTI Teachers. The qualifications and nature of duties of Art and Craft Teachers are entirely different than that of PTI Teachers and they form a separate cadre. Hence, such personnel cannot equate themselves with the Art and Craft Teachers and cannot seek pay parity with any Art and Craft Teachers. Hence, the claim of the said petitioners for seeking pay parity with one Sh. Simranjit Singh, Art and Craft Teacher has no substance. Consequently, the same is rejected.
6. It is on the record that vide order No 16/2-2009 estt3(3)/76-80, dated 11-07-2008 Sh. Simranjit Singh was appointed as a Art and Craft Teacher. In the present case, the anomaly of pay of senior employees has arisen due to the fact that the benefit under ACP Scheme on completion of 4 years service to senior employees was merged with their initial pay when the pay scales of Art and Craft teachers were re-revised with effect from 1.10.2011. However, when benefit under ACP scheme was granted to Sh. Simranjit Singh on completion of 4 years of service as on 11.07.2012, he started getting pay of Rs. 17950/- on the said date, whereas the other eligible petitioners, who are working as Art and Craft teachers were getting pay of Rs. 17420/- on the said date. It is a matter of fact that the said Sh. Simranjit Singh is working as a Art and Craft teacher in District Sangrur. Therefore, only those Art and Craft teachers, who are working in District Sangrur and whose names have been included in the seniority list of Art and Craft Teachers working in the District Sangrur could lay their claim that the said Sh. Simranjit Singh is junior to them, but the Art and Craft teachers working in any other district cannot claim that they are seniors to Sh. Simranjit



Singh because their seniority is maintained in their respective district. Hence, claim of the petitioners Nos. 1, 9, 10 and 12 Art and Craft teachers who are working in different Districts for bringing there pay at par with Sh. . Simranjit Singh is not sustainable and consequently the same is also rejected.

7. In the circular letter No. 6/46/2010-1FP2/322892/1, dated 13.10.2014 issued by the Department of Finance, it has been laid down that the Competent Authority to dispose of the cases relating to stepping up pay of senior employees shall be the Head of the Department in case of employees falling in Group 'C' and Group 'D' service. All the petitioners belong to Group 'C' service. The said instructions, *inter-alia*, stipulate that such cases shall be sent to the Competent Authority after getting the same vetted from the Section Officer and DCFA posted in concerned Department.

8. The claim of eligible petitioners No. 6 and 11 are working as Art and Craft teachers, has been examined by the Section Officer and Deputy Controller (Finance). They have vetted the claim of the above said two petitioners and confirmed that as per instructions issued by the Government from time to time the pay of senior employees/ petitioners needs to be refixed to bring it at par with the junior employees. Further, the office as also examined the fact and verified that the claim of the petitioners is covered under the instructions issued vide letter no. 4/46/2010-1FP2/327 dated 12/08/2010 by Government of Punjab, Department of Finance. Hence, in view of the above, approval is hereby accorded for stepping of pay of the following two petitioners namely –

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- (1) Deepak kumar A/a 32 years Art and Craft teacher, S/o Tarsem chand, Govt. Middle School, Rattakhera, Complex Govt. Sen. Sec. School Daska, Distt. Sangrur.

(2) Sukhjinder Singh A/a 37 years Art and Craft teacher, S/o Sh. Janta Singh, Govt. Sen. Sec. School Bhutal Kalan, Distt. Sangrur.

at par with the pay being drawn by Sh. Simranjit Singh, Art and Craft teacher s/o Late sh. Darshan singh Government high School, Tolewal Complex GSSS Dharamgarh, District Sangrur, as on 11.07.2012 at the stage of Rs. 17950/- subject to the condition that the date of increment of the seniors/petitioners after stepping up shall be same as that of their junior, namely Sh. Simranjit Singh, Art and Craft teacher s/o Late Sh. Darshan Singh, Government high School, Tolewal Complex GSSS Dharamgarh, District Sangrur. In the accordance with the aforesaid instructions dated 12/08/2010, the concerned Drawing and Disbursing Officer shall re-fix pay of the said petitioners in accordance with these orders.

9. Further, as per instructions of Department of Finance issued vide No. 6/46/2010-1FP2/322892/1 dated 13.10.2014, having granted the benefit of aforesaid step up, the resultant admissible arrears shall be payable for only 38 months from the date of such application. In the present case, the petitioners have filed present writ petition on 08.02.2018. Therefore, the said date shall be construed as the date of filing of application for the purpose of calculation of payable arrear to the petitioners in the present case.
10. With the aforesaid orders, the claim of the petitioners shall stand disposed off.

(Sukhjeet Pal Singh, P.C.S)  
Director of Public Instruction (SE) Punjab.

Endst. No. Even, <sup>2019/192/11-125</sup> Dated, SAS Nagar, the: 05/07/19

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

- 1 Registrar Punjab and Haryana High Court, Chandigarh.



- 2 Secretary to Government of Punjab, Department of School Education, Edu-6  
Br Punjab Civil Secretariat-II, Sector-9, Chandigarh.
- 3 District Education Officer (SE) Mansa and sangrur is hereby directed to  
rectify pay of all petitioners in the manner as provided in these orders within  
a period of 15 Days positively.
- 4 Both the petitioners as per list enclosed.
- 5 Advocate Sunny singla , Flat No 55, High court Lawyers society, Sector-76.  
Mohali.



Assistant Director(SA-5)  
For Director of Public Instruction (SE) Punjab.