

Dr. Krishan Lal

B.Sc., B.Ed., M.A., M.Com., Ph.D. Retd. Lecturer Political Sc.

H. No. 181, Ward No. 3 Bhagat Singh Marg, Near Naveen School, BUDHLADA -151502 Distt. Mansa (Punjab)

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Office Time: 10:00 am to 1:00 pm, 4:00pm to 7:00 pm

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

01-01-1993 ਤੋਂ ਆਪਸ਼ਨ ਬਦਲਣ ਦਾ ਹੱਕ।

ਜਿਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਨੇ ਆਪਸ਼ਨ 1–1–86 ਤੋਂ 31–12–92 ਤੱਕ ਲਈ ਸੀ। ਉਹ ਹੁਣ ਉਹੀ ਆਪਸ਼ਨ 1–1–93 ਤੱਕ ਲੈ ਸਕਦੇ ਹਨ।ਡਾਇਰੈਕਟਰ ਸਿੱਖਿਆ ਵਿਭਾਗ ਸੈਕੰਡਰੀ ਵਲੋਂ COCP No. 1042 ਆਫ 2014 In CWP No. 17954 ਆਫ 2012 ਸੰਤੋਖ ਸਿੰਘ ਬਨਾਮ ਪੰਜਾਬ ਵਿੱਚ ਦਿੱਤੇ ਐਫੀਡੈਬਟ ਅਨੁਸਾਰ 1-1-93 ਤੋਂ ਆਪਸ਼ਨ ਬਦਲਣ ਦੀ ਅਗਿਆ ਦੇ ਦਿੱਤੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਜਿਲ੍ਹਾਂ ਸਿੱਖਿਆ ਅਫਸਰ ਐਲੀਮੈਟਰੀ ਅੰਮ੍ਰਿਤਸਰ ਦੇ ਆਰਡਰ ਨੰ. A2/2017-6258-63 ਮਿੱਤੀ 7-3-17 ਅਨੁਸਾਰ ਸਿਵਲ ਰਿੱਟ ਪਟੀਸਨ ਨੰ.1965 ਆਫ 2017 ਮੁਖਵਿੰਦਰ ਸਿੰਘ ਅਤੇ ਹੋਰ ਬਨਾਮ ਸਟੇਟ ਆਫ ਪੰਜਾਬ ਸਰਕਾਰ ਵਿੱਚ ਵੀ 1-1-93 ਤੋਂ ਆਪਸ਼ਨ ਬਦਲਣ ਦੇ ਆਰਡਰ ਕਰ ਦਿੱਤੇ ਹਨ।



Dr. Krishan Lal

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

PERFORMA (ENGLISH CAPITAL LETTERS) Writ Regarding Change Of Option From 01-01-1993

Name	
Father's Name	
Designation	
School / Office Name	
School/Office Email Address (If Any)	
Date Of Birth	
Aadhar Card No.	
Date Of Appointment	
Date Of Regular	
Date Of Retirement	
Date Of Old Option	
Mobile Number	
Whats App Number	
Email Address	
Residence Address	
Signature	

Important Points:-

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

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

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

POWER OF ATTORNEY

In the Court of		
	VERSUS	Plaintiff/Appeallant Complainant Petitioner Defendant
	m these present shall come the	
for the	in the above mention	ed case to do all the following acts
deeds and things or an 1. To act appear and plea	y of them that is to say :- d in the above mentioned case	e in the court or any other Court in or in any stage of its progress until
Present pleading appe review, revisions withdr	awal compromise or other petiti	bjection or petitions for execution ons or affidavit or other documents secution of the said case in all its
To file and take back do dismissed in default.		for restoration there of in case it is
that shall arise touching 5. To deposit draw any rec	or in any manner relating to the eive money and grant receipt the	rbitration any difference or disputes e said case. here of and to do all other acts and ess and in the case of prosecutions
To employee and other authorities hereby confer And I/We hereby agree	erred on the advocate wheneve	him to exercise the power and r he may think fit to do so. te or his substitute shall do in the
of said for hearing case for any negligence of th	in consequence from the court e said Advocate or his substitut	
to the Advocate, remain	ing unpaid he shall be entitled to me is paid if any costs are allowe	part of fee agreed by me to be paid o withdraw from the prosecution of ed for an adjournment the advocate
which have been explain		the

Accepted:

(Signature or Thumb Impression of client)

IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT CHANDIGARH

C.O.C.P NO. 1042 OF 2014

IN . CWP No. 17954 of 2012

- Vijay Kumar, Lect. Eco. S/o Diwan Chand, Govt. Sr. Sec. School, Jaloor, Distt Barnala, R/o #1695, Street No. 3-B, Lakhi Colony, Barnala.
- Sangita Rani, Hindi Mistress, D/o Jawant Rai, Govt. Middle School, Dhaula Complex GHS, Dhaula, Distt. Barnala, R/o. #1695, Street No. 3-B, Lakhi Colony, Barnala.

.... Petitioners

Versus

- Smt. Anjali Bhawra, Secretary to Government of Punjab, Department of School Education, Punjab Civil Secretariat, Chandigarh.
- 2. Shri Kamal Kumar, Director Public Instructions (Sec. Edu.), Punjab, Punjab School Education Board, Phase-VIII, Mohali.

....Respondents

Short Reply by way of affidavit of Dr. Kamal Kumar, Director, Public Instruction (Secondary Education) Punjab, respondent no. 2.

RESPECTFULLY SHOWETH

- I, the above named deponent do hereby solemnly affirm and declare as under:-
- 1. That the present contempt petition has been filed by the petitioners alleging wilful non-compliance of the order dated 12.09.2012 (P-1) passed by this Hon'ble Court in CWP No. 17954 of 2012, Santokh Singh and others versus State of Punjab and others wherein names of the petitioners were at serial No. 3 & 4 respectively. Vide order dated 12.09.2012 (P-1) the writ petition was disposed of with a direction to the respondents to decide the legal notice dated 13.06.2011 served by the petitioners in the light of judgement dated 25.02.2010 passed by this Hon'ble Court in another similar matter CWP No. 7464 of 2009, Surinder Kumar and others versus State of Punjab and others. The relevant extract of the order dated 12.09.2012 is being reproduced as hereunder for kind convenience of this Hon'ble Court:-

"In the light of the averments made in the petition and on the basis of submissions made by learned counsel for the petitioners, I deem it appropriate to dispose of the present petition with a direction to the respondent-authorities to consider the claim of the petitioners and decide the legal notice dated 13.06.2011 (Annexure P-7) served by the petitioners in the light of the judgement dated 25.02.2010 passed by this Court in CWP No. 7464 of 2009 (Annexure P-5). Needful be done within a period of three months from the date of receipt of a certified copy of this order.

Petition disposed of."

2. That it would also be appropriate to reproduce here the relevant extract of the judgment dated 25-2-2010 in Surinder Kumar's case which is being reproduced as hereunder for kind convenience of this Hon'ble court:-

"Consequently, the writ

petitions are allowed in part to

the extent that while the

respondents are directed to

permit the petitioners to reexercise their options in terms of the Finance Department's circular dated 24-12-1992 (Annexure P-1) within a period of one month from the date of receipt of a certified copy of this order, no resultant arrears of pay shall be paid to them and they shall be entitled to only the notional pay fixation w.e.f. 1-1-1986, 1-1-1996 and 1-1-2006, as the case may be. The petitioners, however, shall be paid emoluments/pension as per the re-fixed pay w.e.f. 1-3-2010 onwards.

Ordered accordingly"

dated 12.09.2012 (P-1) of this Hon'ble Court, taking a decision on the legal notice dated 13.06.2011 vide memo dated 11.01.2013, the concerned District Education Officers were directed to take necessary action to allow the petitioners to re-exercise their option for the revised pay scales w.e.f. 01.01.1993. A copy of the memo dated 11.01.2013 is at Annexure R-1.

4. That, in furtherance of the above directions from the office of deponent, both the petitioners have been permitted to change their option for revised pay scales w.e.f. 01.01.1993 instead of 01.01.1986 by the concerned Drawing and Disbursing officers and their pay has been refixed on notional basis. A copy of the order dated 06.08.2014 and 01.08.2014 respectively passed in favour of petitioner No. 1 & 2 is at Annexure R-2 and R-3 respectively. The petitioners who are still serving, have been released following consequential arrears of salary w.e.f. 01.03.2010 as per the directions dated 25.02.2010 passed by this Hon'ble Court in CWP No. 7464 of 2009:-

Petitio	Particul	Amount	Date of	Remark
ner No.	ars of		Payment	S
	Payment			
1	Arrears	Rs.	17.11.2	Copies
	of	75,503	014	of
	Salary	/-		Receip
2	Arrears of Salary	Rs. 64,193 /-	17.11.2	ts are at Annexu re R-4
		,		le K-4

The petitioners vide their receipts dated 17.11.2014 (R-4) have expressed their satisfaction regarding settlement of their claim.

5. That, deponent tenders an unconditional and unqualified apology for delay in implementing the orders of this Hon'ble Court. In this regard, it is humbly. submitted that certified copy of the order dated 12.09.2012 was received in the office of deponent on 15.10.2012 and directions from the office of deponent to the respective District Education Officers to implement the order were issued on 11.01.2013 (Annexure R-1). Thus it is apparent that decision on the legal notice was taken within the period granted by this Hon'ble Court. It is further submitted that action to release consequential benefits in case of all other petitioners was taken by the concerned District Education Officers well in time. However, in case of present petitioners who were serving under the control of District Education Officer (S.E.) Barnala, the delay in completion of action has been caused due to the fact that there was some confusion in the mind of the authorities at the district level as to whether an employee can be allowed to re-exercise option w.e.f. 01.01.1993 or not. Finally, the issue was resolved after gathering information from the relevant quarters including certain cases cleared by the Accountant General Punjab with reexercise of option w.e.f. 01.01.1993 and directions from this office were issued on 14.11.2014 to grant requisite relief to the petitioners. The District Education Officer (S.E.) Barnala, Superintendent and dealing hand in the said office have been issued show cause notice under rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, for not taking timely action. A copy of show cause notice issued against DEO (S.E.) Barnala is at Annexure R-5. However, deponent tenders

unconditional and unqualified apology for the delay.

6. That, deponent holds this Hon'ble Court in its highest esteem and can never think to disobey intentionally any order of this Hon'ble Court or any other Court of Law.

Keeping in view the submission made above, it is, therefore, respectively prayed that the present contempt petition may kindly be disposed of in the interest of justice.

08

Place: Chandigarh

VERIFICATION

Dated:02 - .12.2014

Deponent (Kamal Kumar)

Director Public Instructions (SE) Punjab

Verified that the contents of the above affidavit from para 1 to 6 are true and correct to my knowledge and information as derived from official record. No part of it is false and nothing material has been kept concealed therein.

Place: Chandigarh

Dated: 09 .19, 2014

2.5 Deponent

(Kamal Kumar)

Public Instructions

Office of District Education Officer(E.E) Kapurthala

Office Order No: A3/(option change) 2017- 718-23

Dated:29.03.2017

Subjact:- Speaking Order.

Wheres Sh. Mukhbinder Singh & other have filed CWP No. 1965 of 2017 in this Hon'ble Punjab & Haryana High Court with a preyer that this Hon; ble Court may be pleased to issuance of a writ in the nature of mandamus directing the respondent to permit the petitioners to exercise option of revised pay scale form 01.01.1993 in view of changed cicumstances created by the change in master Scale vide Notification issued on 24th December, 1992(Annexure P-1). Sh Mukhbinder Singh (Retired) CHT s/o Kartar Singh GES Bhandal Bet, Block Ajnala-Kapurthala-2, Smt.Shakuntla Devi (Retired) J.B.T D/o Sh. Jagan Nath GES Dhapai, Block Kapurthala-3, Smt. Veena Bajaj (Retired) JBT D/o Sh.Amar Nath GES Mansurwal Dona, Block Kapurthala are petitioner in this writ petition at sr. no.1,5,7 and the Hon'ble Punjab & Haryana Court was pleased to dispose of this writ petition vide order dated Feburary 3,2017as under:-

" KULDIP SINGH, J. (ORAL)

Petitioners retired from service as Lecturers on different dates. They Seek the writ in the nature of msndamus directing the respondents to permit the petitioners to exercise the option for revised pay scale w.e.f. 1.1.1993 in view of changed circumstances created by the change in master scale vide Notification issued on 24.12.1992 (Annexure P-1)

Learned counsel for the petitioners that the controversy has been settled a judgment of this Court rendered in Civil Writ Petition No.7464 of 2009 titled as "Surinder Kumar And other V State of Punjab and other" The Petitioner have already issued a legal natice 25.12.2016 (Annexure P-6).

In the circumstances, the petition is disposed of with a direction to the respondents to consider the claim of the petitioners as raised in legal notice dated 25.12.2016 (Annexure P-6). and after considering the judgmnt of Surinder Kumar and other' case(supra) pass a speaking order as to whether the petitioners case is covered by the saidbenefits. The necessary order be passed with in two months from the date of receipt of a certified copy of this order.

Febuary 03,2017

(KULDIP SINGH) JUDGE"

ਡਾਇਰੈਕਟਰ ਸਿੱਆਿ ਵਿਭਾਗ(ਐ:ਸਿ:)ਪੰਜਾਬ ਜੀ ਨੇ ਆਪਣੇ ਪਿੱਠ ਅੰਕਣ ਨੰ: 444-3/7-16ਅ-2(5) ਮਿਤੀ 16.3.2017 ਰਾਹੀਂ ਪੰਜਾਬ ਸਰਕਾਰ ਸਿੱਖਿਆ ਵਿਭਾਗ(ਸਿਖਿਆ-7 ਸ਼ਾਖਾ) ਦੇ ਮੀਮੋ ਨੰ: 7/47/2016-1ਸਿ-7/939601/1 ਮਿਤੀ 15.3.2017 ਦੀ ਕਾਪੀ ਭੇਜ਼ ਦੇ ਹੋਏ ਸਰਕਾਰ ਦੇ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਪਟੀਸ਼ਨਰਾਂ ਦੇ ਕਲੇਮ ਦਾ ਨਿਪਟਾਰਾ ਕਰਨ ਦੇ ਆਦੇਸ਼ ਦਿੱਤੇ ਹਨ।ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਆਪਣੇ ਪੱਤਰ ਵਿਚ ਸਿਵਲ ਰਿਟ ਪਟੀਸ਼ਨ ਨੰ: 25339/2015 ਸੁਖਧੀਰ ਸਿੰਘ ਸ਼ੇਖੋਂ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ ਅਤੇ ਅਜਿਹੀਆਂ ਹੋਰ ਰਿਟਾਂ ਦੇ ਸਬੰਧ ਵਿਚ ਵਿੱਤ ਵਿਭਾਗ (ਵਿਤ ਪ੍ਰਸੋਨਲ-2 ਸ਼ਾਖਾ) ਵਲੋਂ ਉਨਾਂ ਦੇ ਅੰ.ਵਿ.ਪੱਤਰ ਨੰ: 10/37/2016-1ਵਿਪ੍2/939143/1,ਮਿਤੀ 15.3.2017 ਰਾਹੀਂ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਯੋਗ ਕਾਰਵਾਈ ਤਰੰਤ ਕਰਨ ਹਿੱਤ ਆਦੇਸ਼ ਦਿੱਤੇ ਹਨ।

" ਵਿੱਤ ਵਿਭਾਗ ਵਲੋਂ ਵਿਸ਼ਾ ਅੰਕਿਤ ਕੇਸ ਅਤੇ ਅਜਿਹੀਆਂ ਹੋਰ ਰਿਟ ਪਟੀਸ਼ਨਾਂ ਵਿਚ ਮਾਨਯੋਗ ਕੋਰਟ ਵਲੋਂ ਮਿਤੀ 11.3.2016 ਨੂੰ ਕੀਤੇ ਹੁਕਮਾਂ ਦੇ ਪੈਰ੍ਹਾਂ ਨੰ: 5 ਅਨੁਸਾਰ ਪਟੀਸ਼ਨਰਜ਼ ਨੂੰ ਆਪਸ਼ ਨ ਕਾਰਣ ਬਣਦਾ ਲਾਭ ਨੋਸ਼ਨਲ ਅਧਾਰ ਤੇ ਦੇਣ ਸਬੰਧੀ ਸਹਿਮਤੀ ਇਸ ਸ਼ਰਤ ਦੇ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਉਹਨਾਂ ਦੁਆਰਾ ਦਾਇਰ ਰਿਟ ਪਟੀਸ਼ਨਾਂ ਦੀ ਮਿਤੀ ਤੋਂ ਮੁੜ ਤਨਖਾਹ ਨਿਸਚਿਤ ਕਰਦੇ ਹੋਏ ਤਨਖਾਹ/ਪੈਸ਼ਨਰੀ ਲਾਭ ਦਿੱਤੇ ਜਾਣ।" ਮਾਨਯੋਗ ਹਾਈ ਕੋਰਟ ਵਲੋਂ ਸਿਵਲ ਰਿਟ ਪਟੀਸ਼ਨ 18644 ਆਫ਼ 2015 ਦੇ ਫੈਸਲ ਮਿਤੀ 11.3.2016 ਪੈਰ੍ਹਾ ਨੰ: 05 ਵਿੱਚ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਆਦੇਸ਼ ਦਿੱਤੇ ਹਨ:

"As a result, the writ petitions are allowed in the same terms and the benefits arising out of change of option will be notional. The respondents are directed to obtain fresh option from the petitioners within a fortnight and process the case within one month thereafter to completion. However, the petitioners shall be paid emoluments/pension as per the re-fixed pay from the date of presentation of these petitioners and regularly therafter".

I, Harpal Singh,(D.E.O),(E.E) Kapurthala have carefully considered the claim of the above petitioners as per decision of Hon'ble Court dated 30/02/2017 along with Surinder Kumar and others' case (supra) order dated 25.02.2010 in CWP No. 7464 of 2009 and allow the above petitioner to change their option w.e.f. 01.01.1993 on notional basis. However the petitioners will be entitled to notice fixaion of Pay/Pension and arrears as per direction of Punjab Govt. Memo No.7/47/2016–1fh–7/939601/1 Dated 15.3.2017.

(Harpal Singh)
District Education Officer (E.E)
Kapurthala

Endst No. even

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

- 1. DPI (Elementary Punjab, (Mohali) vide their Endst. No.444-3/7-16ਅ-2(5) ਮਿਤੀ 16.3.2017.
- 2. B.P.E.O., Kapurthala 2,3 and it is directed that notional pay after changing option w.e.f 1.1.93 may be get verified from this office.
- 3. Concerned Petitioners. (1). Sh. Mukhbinder Singh (Retired) CHT S/o Sh Kartar Singh, H.No: 06 Aman Enclave Opposite Christ King Convent School Kartarpur road, Kapurthala. (2) Smt. Shakuntla Devi (Retired) JBT D/o Sh. Jagan Nath, H.No: 358, Sant Nagar, Opposite Devi Talab, Kapurthala. (3) Smmt. Veena Bajaj Retired) JBT D/o Sh. Amar Nath H.No: 361, Sant Nagar, Opposite Devi Talab, Kapurthala.

District Education Officer (E.E)

Kapurthala

Office of the District Education Officer (E.E.) Amritsar

Office Order No: A2/2017- 6258-63

Dated: 07-3-17

Subject:- Speaking Order

Whereas Sh. Mukhbinder Singh & others have filed CWP No. 1965 of 2017 in this Hon'ble Punjab & Haryana High Court with a prayer that this Hon'ble Court may be pleased to issuance of a writ in the nature of mandamus directing the respondents to permit the petitioners to exercise option of revised pay scale from 01.01.1993 in view of changed circumstances created by the change in Master Scale vide Notification issued on 24th December, 1992 (Annexure P-1). Sh. Subash Chander (Retired) CHT S/o Hans Raj, GES Hardoputli, Block Ajnala-1, Sh. Gurinder Singh (Retired) Head Teacher S/o Sh. Satwant Singh GES Kangra Colony, Block Amritsar-5, Smt. Harjeet Kaur (Retire) JBT D/o Sh. Amar Singh GES Wadala Dogra, Block Jandialaguru and Smt. Hardeep Kaur (Retirted) JBT D/o Gyan Singh GES Sathiala Block Rayya-1 are petitioner in this writ petition at sr. no. 2,3,4 and 6 the Hon'ble Punjab & Haryana High Court was pleased to dispose of this writ petition vide order dated Feburary3, 2017 as under:-

"KULDIP SINGH, J. (ORAL)

Petitioners retired from service as Lecturers on different dates. They Seek the writ in the nature of mandamus directing the respondents to permit the petitioners to exercise the option for revised pay scale w.e.f. 1.1.1993 in view of changed circumstances created by the change in master scale vide Notification issued on 24.12.1992 (Annexure P-1).

Learned counsel for the petitioners contends that the controversy has been settled by a judgment of this Court rendered in Civil Writ Petition No. 7464 of 2009 titled as "Surinder Kumar and Other V State of Punjab and other" The Petitioner have already issued a legal notice 25.12.2016 (Annexure P-6).

In the circumstances, the petition is disposed of with a raised in legal notice dated 25.12.2016 (Annexure P-6) and after considering the judgment of Surinder Kumar and others' case (supra) pass a speaking order as to whether the petitioners case is covered by the said

nenefits. The necessary order be passed within Two months from the date of receipt of a certified copy of this order.

Feburary 03,2017

(KULDIP SINGH)

JUDGE"

I, Salwinder Singh, D.E.O., (E.E.) Amritsar have carefully considered the claim of the above petitioners as per decision of the Hon'ble Court dated 03/02/2017 along with Surinder Kumar and others' case (supra) order dated 25.02.2010 in CWP No. 7464 of 2009 and allow the above petitioners to change their option w.e.f. 1.1.1993. However the petitioners will be entitled to notional fixation of Pay/Pension and arrears as per order dated 25.02.2010 in Surinder Kumar and others' case (supra) in CWP No. 7464 of 2009.

> (Salwinder Singh) District Education Officer (E.E. Amritsar

Endst No. even

Dated:

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

1. DPI(Elementary Punjab, (Mohali)

2. B.E.E.O., Ajnala-1, Jandiala Guru, Amritsar-5 and Rayya-1.

3. Concerned Petitioners.

District Education Officer