

(2018) 01 P&H CK 0092
In the Punjab And Haryana At Chandigarh
Case No : 20767 of 2017

Anita	Vs	APPELLANT
State of Haryana and others		RESPONDENT

Date of Decision : 25-01-2018

Acts Referred:

Citation : (2018) 01 P&H CK 0092

Hon'ble Judges : Rajiv Narain Raina

Bench : Single Bench

Advocate : Sunil K. Nehra, K.S. Yadav, Sandeep Malik, Suresh Kumar Kaushik, Salil Sabhlok, Harish Rathee

Final Decision : Disposed off

Judgement

1. This order will dispose of CWP No.20767 of 2017 titled Anita v. State of Haryana and others, CWP No.16545 of 2017 titled Manisha Saini and others v. State of Haryana and others, CWP No.18294 of 2017 titled Sanjeeta Kumari v. State of Haryana and others, CWP No.24018 of 2017 titled Manoj Kumar and others v. State of Haryana and others, CWP No.17093 of 2017 titled Komal Rani and others v. State of Haryana and others, CWP No.18664 of 2017 titled Sonia Arora and others v. State of Haryana and others, CWP No.19264 of 2017 titled Rambir and another v. State of Haryana and others, CWP No.21494 of 2017 titled Seetu and others v. State of Haryana and others, CWP No.22426 of 2017 titled Rajni and another v. State of Haryana and others, CWP No.22879 of 2017 titled Hariom and others v. State of Haryana and others, CWP No.23074 of 2017 titled Monika v. State of Haryana and others, CWP No.22450 of 2017 titled Rimpay and others v. State of Haryana and

others & CWP No.25662 of 2017 titled Preeti Rawaldhia v. State of Haryana and others.

2. These bunch of writ petitions have been heard today for final disposal in the presence of Mr. Rathee for the State of Haryana and the learned counsel for the petitioners.

3. The apprehension of the petitioners that guidelines issued at Annex P-6 dated July 20, 2017 after the judgment of this Court in CWP No.16975

of 2014, Mrs. Rita Tandon v. State of Haryana and others decided on July 29, 2016 and CWP No.14226 of 2016, Deepak Kumar and others v.

State of Haryana and others decided on September 21, 2016 would be removed straightaway on the coming into force of the guidelines is not well

founded and the anxiety expressed that Extension Lecturers who are not NET qualified in terms of the Haryana Education (College Cadre) Group

B Service Rules, 2012 is highly exaggerated.

4. This is not the correct interpretation to be placed on para.2 of the guidelines which speaks of disengagement of the unqualified, which grievance

is principally assailed in this petition. There can be no doubt that normally only such persons should be engaged to teach who fulfill qualifications

prescribed in the rules and the UGC, New Delhi. There can be no quarrel with this proposition. However, the temporary arrangement made in

Mrs. Rita Tandon and Deepak Kumar and other cases in similar strain before and after these two decisions is only to act as bridge to eventual

regular recruitment of qualified college teachers. Needless to say, the State would abide by the directions in Mrs. Rita Tandon and Deepak Kumar

cases and to repeat it is again observed that those petitioners who are engaged as Extension Lecturers but are not NET qualified are open to be

replaced by Extension Lecturers who are NET passed candidates.

5. In case, NET qualified candidates are not available in response to the advertisements inviting applications for Extension Lecturers, to the extent

of vacancies notified, then the petitioners, who do not possess NET certificates, will have a right to continue as Extension Lecturers for the time

being provided their work, conduct and performance is satisfactory. Those petitioners, who are not NET qualified but fall within the deficit/shortfall

of advertised vacancies will not be replaced by a similar arrangement till direct recruitment is made and regular candidates are available for joining

the cadre posts. However, in cases, where the NET qualified candidates are available to fill all the vacancies required to be filled from amongst

Extension Lecturers then it will be open to the Government to engage the petitioners who are NET qualified to the exclusion of others.

6. This settles the matter and the apprehension of the petitioners.

7. Mr. Rathee assures the Court that the directions in the aforesaid two cases will be implemented in letter and spirit.

8. At the end, Mr. Nehra has pointed out to para.9 of the guidelines where it has been provided that Extension Lecturers shall be paid Rs.25,000/-

per month and they shall be given teaching workload as per University Calendar/ State Govt. norms. It is his submission that his clients are not

being paid the promised monthly sum. Mr. Rathee would get this matter looked into by the authorities and the grievance redressed immediately.

9. There can be no doubt that the State will honour its commitment and pay the Extension Lecturers emoluments in terms of the policy of

engagement of Extension lecturers with due regard paid to para. 9.

10. With these observations and clarifications, the petitions stand disposed of.