

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 15171 of 2015

Date of Decision : October 13, 2015

Pritam Kumar Petitioner

Vs.

Animal Husbandry and Dairying
Department, Haryana Respondent

Case No. : C. W. P.No. 15238 of 2015

Date of Decision : October 13, 2015

Ajit Petitioner

Vs.

State of Haryana and another Respondents

Case No. : C. W. P.No. 18708 of 2015

Date of Decision : October 13, 2015

Mukesh Kumar Petitioner

Vs.

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Anurag Goyal, Advocate
and Mr. Jasbir Mor, Advocate
for the petitioner.

Mr. Harish Rathee, Senior DAG, Haryana.

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DEEPAK SIBAL, J. :

Through these writ petitions being **C. W. P. Nos. 15171, 15238 and 18708 of 2015**, the petitioners seek issuance of a direction to the respondents to consider their candidature for appointment to the post of Veterinary Livestock Development Assistant (hereinafter referred to as – VLDA). These petitions, involving similar questions of fact and law, were taken up for hearing together and are being disposed of by this common judgment. For the sake of convenience, facts are being extracted from **C. W. P. No. 15171 of 2015**.

The grievance raised in the present petition lies in a narrow compass. Through advertisement Annexure P-1, the Animal Husbandry and Dairying Department, Haryana (hereinafter referred to as – the Department) invited applications for filling up posts of VLDA. The prescribed educational qualifications were as under :-

- “1. Matric or its equivalent from any recognised University/Board/ Institution.*
- 2. 2 years Veterinary Livestock Development Assistant Diploma course*

from Lala Lajpat Rai University of Veterinary & Animal Sciences, Hisar or any other institution recognised/ approved by the Haryana Government.

3. Knowledge of Hindi/Sanskrit up to Matric standard or higher education.”

As per the above, one of the prescribed qualifications for the post in question was that a candidate should possess a two years' Veterinary Livestock Development Assistant Diploma course from Lala Lajpat Rai University of Veterinary & Animal Sciences, Hisar or any other institution recognised/approved by the Haryana Government.

It is the admitted case between the parties that the petitioner does not possess the aforesaid Diploma course. Instead, he is holder of a two year Diploma course in Animal Husbandry from Rajasthan University of Veterinary and Animal Sciences, Bikaner.

Counsel for the petitioner, while referring to the curriculum of two year Diploma course in Veterinary Livestock Development Assistant and two year Diploma course in Animal Husbandry, submitted that they were both the same, and therefore, should be considered equivalent.

After considering the arguments raised and perusing the record, I find that the curriculum of both the aforesaid courses is different, which is depicted below in a tabular form :-

<i>Two year Diploma Course in Veterinary and Livestock Development (from Lala Lajpat Rai University of Veterinary and Animal Sciences, Hisar)</i>	<i>Diploma Course in Animal Husbandry (from Rajasthan University of Veterinary and Animal Sciences, Bikaner)</i>
<u>FIRST YEAR :</u> 1. Pharmacy 2. Introductory Anatomy of Domestic Animals. 3. Introductory physiology of Domestic Animals. 4. Introduction to Livestock & Poultry Management. 5. Elementary Principles of Animal Nutrition. 6. Introduction to Animal Breeding. 7. English. <u>SECOND YEAR :</u> 1. Elementary Medicine 2. Introductory Surgery. 3. Reproductive Disorders. 4. Clinical Practice. 5. Introduction to Reproduction; A.I. and Storage of Semen. 6. Introduction to Animal Products Technology. 7. Elementary Animal Husbandry Extension.	<u>FIRST YEAR :</u> 1. Introductory Veterinary Anatomy. 2. Introductory Veterinary Physiology & Biochemistry. 3. Introduction Animal Management. 4. Animal Husbandry Extension. 5. Introductory Animal Breeding and Genetics. <u>SECOND YEAR :</u> 1. Introductory Veterinary Pharmacology. 2. Introductory Veterinary Medicine. 3. Minor Veterinary Surgery. 4. Introduction Animal Reproduction. 5. Introductory Animal Nutrition.

The above table clearly shows that the subjects taught in the Diploma course undertaken by the petitioner are not the same as the subjects taught in the Diploma course, which is prescribed as an essential qualification for the post in question. The subject of English as also Animal

Products Technology is missing in the Diploma course undertaken by the petitioner. There is also seen a serious lack of details in the subject of clinical medicine in the course undertaken by the petitioner. The subjects of Pharmacy and Introduction to Animal Breeding, as taught in the Veterinary Livestock Development Assistant Diploma Course are quite distinct from the Diploma course undertaken by the petitioner. Some overlapping of topics is not suffice for me to favourably consider the petitioner's case.

In view of the above facts, I have no hesitation to hold that the petitioner does not hold the prescribed qualifications and being not eligible, is not entitled for consideration of his candidature for appointment to the post in question.

Thus, the argument raised on behalf of the petitioner, that the Diploma course possessed by him should be considered equivalent to the Diploma course as prescribed, also does not hold any water. Even otherwise, the prescribed qualifications do not make eligible the holders of equivalent qualifications. As noticed earlier, the prescribed qualifications for the post in question is a two years' Veterinary Livestock Development Assistant Diploma course, whereas the petitioner possesses a two year Diploma course in Animal Husbandry. Thus, on both counts, this argument raised by the counsel for the petitioner would fail. Even otherwise, it is not for the Court to enter into the issue with regard to equivalence of two

different qualifications, especially when no expert opinion in this regard has been placed on record by the petitioner.

In view of the above, finding no merit in all these three petitions being **C. W. P. Nos. 15171, 15238 and 18708 of 2015**, the same are hereby ordered to be dismissed, with no order as to costs.

A photocopy of this judgment be placed on the files of other two connected cases.

**(DEEPAK SIBAL)
JUDGE**

October 13, 2015

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