

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(1) LPA No. 1638 of 2014 (O&M)

Rakesh and another APPELLANTS

Versus

State of Haryana and others RESPONDENTS

(2) LPA No. 253 of 2014 (O&M)

Sanjeev Kumar and another APPELLANTS

Versus

State of Haryana and others RESPONDENTS

(3) LPA No. 433 of 2014 (O&M)

Narender Kumar and others APPELLANTS

Versus

State of Haryana and others RESPONDENTS

(4) LPA No. 1284 of 2015 (O&M)

Parmod Kumar and another APPELLANTS

Versus

State of Haryana and others RESPONDENTS

DATE OF DECISION : 30.10.2015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE HARI PAL VERMA

Present : Mr. Madan Pal, Advocate,
for the appellants (in LPA Nos. 1638 and 253 of 2014)

Mr. N.S. Panwar, Advocate,
for the appellants (in LPA Nos. 433 of 2014 and 1284 of 2015)

Mr. Lokesh Sinhal, Addl. A.G., Haryana.

SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of LPA Nos. 1638, 253, 433 of 2014 and 1284 of 2015. These intra-court appeals under Clause X of the Letters Patent have been filed against the common order dated 09.10.2013 passed by the learned Single Judge, whereby separate writ petitions filed by the appellants seeking direction to the respondents to consider them eligible for appointment to the post of Agriculture Development Officer (Administration Cadre) and to appoint them on the said post, for which they have already been selected, have been dismissed.

The issue involved in LPA No. 1284 of 2015 is similar to the issue arising in LPA Nos. 1638, 253 and 433 of 2014. Therefore, notice of motion was issued to the respondents. The Additional Advocate General, Haryana, who was present in the court, accepted notice on behalf of respondents – State of Haryana.

The main controversy in all these appeals is as to whether the appellants, who are possessing the Degree of B.Sc. (Agriculture) four years is equivalent to the Degree of B.Sc. (Honours) in Agriculture, which is the essential qualification for appointment to the aforesaid post as per the Haryana Subordinate Agriculture (Group-C) Service Rules, 1993.

It is the case of the appellants that the Degree of B.Sc. (Agriculture) four years possessed by them is equivalent to the Degree of B.Sc. (Honours) in Agriculture, therefore, they were/are fully eligible for appointment to the post of Agriculture Development Officer

(Administration Cadre), and that is why their application forms were entertained and they were selected for appointment to the said post. However, later on, they were denied appointment on the ground that their Degree is not equivalent to the Degree of B.Sc. (Honours) in Agriculture.

Vide order dated 17.11.2014 passed in LPA Nos. 1638, 253 and 433 of 2014, this Court had directed the Experts Committee, which was constituted by the State Government, to examine and consider the issue of equivalency of both the Degrees and submit its report. The order dated 17.11.2014 reads as under :-

“The instant Letters Patent Appeal in which notice of motion was issued on 11.11.2014, has been filed against the common order dated 9.10.2013 whereby five writ petitions were disposed of.

In this LPA the issue is whether the degree of B.Sc. (Agriculture) four years is equivalent to B.Sc. (Honours) in Agriculture. It is the case of the appellants which is based upon a letter/opinion given by Chaudhary Charan Singh University, Meerut as well as Association of Indian Universities, that both the degrees are equivalent. In the connected case passed in LPA No. 1853 of 2013 which was disposed of with the impugned order where the issue was whether the degree of M.Sc. Environmental Botany and M.Sc. Botany are equal, this Court vide order dated 28.7.2014 directed the respondent to examine this issue by appointing an Experts Committee, and in that case the said Committee has also given a report finding that both the degrees are equivalent.

In the light of these facts, we also direct the Experts Committee, in this case to examine and consider the issue of equivalency of both the degrees and submit the report by the next date of hearing.

Adjourned to 18.12.2014.”

In pursuance of the said order, the Experts Committee has submitted its report to the Government to the effect that both the Degrees are equivalent. The Government has accepted the said report and today an affidavit of the Joint Director (Administration), Directorate of Agriculture, Haryana, Panchkula, has been filed in court. Para 2 of the affidavit reads as under :-

“That in view of the above said observation of this Hon'ble High Court, the Government has taken a decision after taking a report from Association of Indian Universities (AIU) and Indian Council of Agriculture Research (ICAR) that B.Sc. Agriculture degrees awarded by other States Agricultural Universities/Agricultural Colleges affiliated with UGC/ approved by ICAR are equivalent to the degree of B.Sc. Agriculture (Honours) awarded by CCS HAU, Hisar. The letter dated 20.10.2015 issued by Additional Chief Secretary to Govt. of Haryana Agriculture Department to the Director of Agriculture, Haryana, Panchkula. In the present case appellants are found eligible for appointment on the post of Agriculture Development Officer (Admn. Cadre) on the basis of above said report which is accepted by the Government. The copy of the letter for kind perusal of this Hon'ble High Court is annexed as Annexure R-1.”

In view of the aforesaid affidavit and the decision taken by the Government

on the report of the Experts Committee, the appellants have been found eligible for appointment to the post of Agriculture Development Officer (Administration Cadre).

Consequently, these appeals are disposed of with a direction to the respondent Government to take necessary action in accordance with the aforesaid decision.

**(SATISH KUMAR MITTAL)
JUDGE**

October 30, 2015
ndj

**(HARI PAL VERMA)
JUDGE**