

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

**Civil Writ Petition No.1536 of 2016**

**Date of decision: 27.1.2016**

Shaina Goyal

**... Petitioner**

**Versus**

State of Punjab and another

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

**Present:** Mr.Manish Kumar Singla, Advocate,  
for the petitioner.

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1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

**RAJIV NARAIN RAINA, J. (Oral)**

The Medical Officers recruited to serve in the State of Punjab under a Centrally sponsored scheme called National Rural Health Mission [NRHM] is not the same thing as being a member of the Punjab Civil Medical Services, Class-I for consideration for filling up Post Graduate seats in 60% quota meant for PCMS-I from amongst in service doctors.

The argument raised by Mr.Singla that there is no qualitative or quantitative difference between the duties and responsibilities shouldered by doctors working in NRHM and PCMS-I or Registered Medical Officers [RMO] working under Zila Parishad and those doctors who worked on *ad hoc* basis under the State Government or in the affairs of the State

Government, is not acceptable.

Firstly, no evidence has been placed on record as to the nature of duties and responsibilities of different kinds of service relied upon. Secondly, both *ad hoc* doctors and the doctors working under Zila Parishad served the Government of Punjab directly and are placed in regular pay scales and, therefore, their experience while serving in Civil Hospitals and Dispensaries in the State of Punjab is vastly different from those recruited on consolidated salary of ₹ 25,000/- [plus incentives] per month to work in NRHM. Therefore, I would reject the argument of the learned counsel for the petitioner that his client has any right to be considered under 60% quota meant for PCMS-I including those in the expanded fields, in case it is true. There is a vast gap between contractual service and other kinds of service including temporary, *ad hoc*, daily wage etc.

The petitioner is a contractual employee working under NRHM WHO does not enjoy the status under Punjab Government and consequently, the period of service rendered on contractual basis cannot be clubbed with the period of service required to fall within 60% quota.

There is no merit in this petition and the same is ordered to stand dismissed.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**January 27, 2016**  
Paritosh Kumar