

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

Date of Decision:-20.09.2016

CWP No.9825 of 2012(O&M)

Smt. Pardeep Kaur.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Anil Shukla, Advocate for Petitioner.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab.

Mr. Shekhar Verma, Advocate for respondent no.2.

JASWANT SINGH, J (ORAL)

Petitioner was appointed as an Education Volunteer on 18.08.2008 after selection by the Village Education Development Committee for the Government Elementary School, Village Abhipur, District Mohali. In the present petition, he has impugned the order dated 19.01.2012 (P-9) whereby his services have been dispensed with on the ground that he does not possess the qualification of "Graduation".

Learned Counsel for the parties heard at length.

It is not in dispute that the education volunteers were engaged as a stop gap arrangement under the Sarv Shiksha Abhiyan Project. The Village Education Development Committee constituted under the project were empowered to appoint Education Volunteer subject to the following

criteria:-

- “ (i) *He/she must be of the same village and if no suitable candidate is available in the same village then candidate from surrounding/nearest village is to be given preference.*
- (ii) *He/she must be below the age of 35 years.*
- (iii) *He/she must be Graduate however, preference shall be given to candidates with higher qualification.* ”

It is further not in dispute that although the petitioner was appointed as an Education Volunteer, however, she does not possess the Graduation degree and hence was not eligible as per the prescribed norms. Still further vide revised Policy Instructions dated 29.04.2011 a decision has been taken not to appoint any Education Volunteers w.e.f. 29.04.2011. It is also not in dispute that pursuant to the instructions dated 23.08.2010, a person to be eligible for appointment as a teacher in a elementary school must have passed “Teacher Eligibility Test” conducted by the State Government as provided by the National Council of Teachers Education keeping in view the provisions of Right of Children to Free and Compulsory Education Act, 2009. The whole aim is not to compromise the teaching standards at the elementary level.

Keeping in view the facts taken cumulatively no case for interference is made out.

Dismissed.

(JASWANT SINGH)
JUDGE

September 20, 2016

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes / No</i>
<i>Whether Reportable</i>	<i>Yes / No</i>