

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

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CWP No.18642 of 2015 (O&M)

Date of Decision: August 28, 2017

Avnita Rani and others

....Petitioners

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. P.K. Goklaney, Advocate
for the petitioners.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

Mr. Anupam Singla, Advocate
for respondent No.2.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record would indicate that Sarv Shiksha Abhiyan was a move to extend elementary education by way of community ownership of the school system and which was earlier in point of time primarily funded by the Central Government. The same objective is now been carried further by way of funding by the State of Punjab itself.

Various schemes have been initiated under the broad overview of the Sarva Shiksha Abhiyan and these schemes are in the nature of E.G.S. i.e. Education Guarantee Scheme, A.I.E. i.e. Alternative and Innovative Education Scheme and S.T.R. i.e. Special Training Resource Scheme.

The petitioners herein are stated to have served under the Punjab State Education Department for certain durations of time as depicted in a tabulation at Annexure P-2.

Vide memo dated 12.02.2014, at Annexure P-3, issued by the Education Department, State of Punjab, the Punjab Government took a decision to again start the afore noticed three schemes for a period of two years. As per memo dated 12.02.2014 (Annexure P-3) volunteers were to be engaged from amongst who have already served under the State of Punjab in the previous schemes and who have the E.T.T./B.Ed. qualification and were to be paid a consolidated salary of Rs.5,000/- per month. Such volunteers who had served under the previous schemes but do not possess the E.T.T./B.Ed. qualification were to be paid a monthly emolument of Rs.2,500/-.

The precise grievance put forth in the petition is that under the E.G.S./A.I.E./S.T.R. Schemes initiated vide memo dated 12.02.2014, consideration for engagement as volunteers, is being confined only to such employees/volunteers, who had already served under the previous schemes. Petitioners contend that such course of action is arbitrary inasmuch as the petitioners herein possess far higher qualifications and in any case, are not lacking in terms of any eligibility conditions etc., which may have been stipulated/notified by the Punjab Government under such schemes. Essentially the contention put forth is that the petitioners cannot be denied the right for consideration to be engaged as volunteers subject to their fulfilling of terms and conditions.

Mr. Anupam Singla, learned counsel representing respondent No.2 i.e. the Director General School Education-cum-State Project Director, Sarva Shiksha Abhiyan Authority, Punjab, apprises the Court that even though under memo dated 12.02.2014 (Annexure P-3), the EGS/AIE/STR schemes were started afresh for a period of two years and have since been extended but as of date, no further volunteers are being engaged.

In the light of such specific stand taken on behalf of respondent No.2 the instant writ petition is disposed of in terms of granting liberty to the petitioners to approach competent authority /respondent No.2 as and when a decision is taken to engage further volunteers under any of the schemes afore noticed. Mr. Singla, undertakes that in the eventuality of such a situation arising and the petitioners putting forth their claim, their cases would be duly considered subject to fulfilment of the terms and conditions/eligibility conditions as may be stipulated by the appropriate authority.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.08.2017
anju rani

***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**