

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI**

Contempt Case No.1077 of 2018

ORDER: (per Hon'ble the Acting Chief Justice Sri Ramesh Ranganathan)

This Contempt Case is filed alleging wilful and deliberate violation of the order passed by this Court in W.P.No.35533 of 2017 dated 26.10.2017 whereby the petitioners were permitted to submit a representation afresh to the 1st respondent, who was directed to consider the same in accordance with law, and communicate his decision to the petitioners within two months from the date of receipt of their representation.

While the Principal Secretary to the Government, Agriculture and Co-operation Department, State of Telangana (1st respondent in the Writ Petition), passed an order dated 28.04.2018 after the Contempt Case was filed, Sri Peeta Raman, Learned Counsel for the petitioners, would submit that the order passed by the Principal Secretary to Government on 28.04.2018 is not in compliance with the order passed by this Court. Learned Counsel would draw our attention to the observations in the order passed in W.P.No.35533 of 2017 dated 26.10.2017 wherein we had, after taking note of the letter of the Registrar of the University dated 18.05.2016, observed that the said letter merely contained reasons which weighed with the University in concluding that the Intermediate Vocational Course in Crop Production and Management was not equivalent to a Diploma in Agriculture; and the said letter did not deal with the issue as to why the Intermediate Vocational Course in Crop Production and Management was not included among the eligible qualifications for

being considered for appointment as Agriculture Extension Officers Grade-II. Learned Counsel for the petitioners would submit that the Principal Secretary to the Government, Agriculture and Co-operative Department was directed to pass an order bearing in mind the aforesaid observations made by this Court; and the proceedings dated 28.04.2018 do not address this particular issue.

In the memo dated 28.04.2018, the Principal Secretary to the Government, Agriculture and Co-operative Department takes note of the report submitted by the Commissioner of Agriculture, Hyderabad dated 12.02.2018 that, for recognizing the eligibility of a qualification, the appropriate authority, who was technically dealing with the subjects, was competent to compare the syllabus relating to different qualifications and, hence, placing reliance on expert opinion of the Agriculture University was not wrong; the petitioners could not force or insist on inclusion of the qualifications, possessed by them, in the relevant rules for their personal benefit as the qualifications were proposed in the larger public interest and, in particular, the farmer community; earlier also, similar requests were examined, and the qualifications possessed by the applicants/ petitioners were found not to be a suitable and sufficient qualification for the post of Agriculture Extension Officer (Grade-II); and the Government had rejected their appeals for inclusion of Intermediate Vocational Crop Production Management Course in the relevant rules. The Government rejected the petitioners' request for inclusion of Intermediate Vocational Course in Crop Production and Management as among the prescribed qualifications.

The jurisdiction which this Court exercises, under the Contempt of Courts Act, is extremely limited. The validity of the order passed by the Principal Secretary to the Government, Agriculture and Co-operative Department, cannot be subjected to examination in contempt proceedings; and the only question which necessitates examination, in such proceedings, is whether the order of this Court has been wilfully and deliberately violated.

As noted hereinabove, the petitioners were permitted, in terms of the order passed by us, to submit a representation to the first respondent who was directed to consider the same in accordance with law, and communicate his decision to the petitioners. While an order was passed and communicated to the petitioners, the question whether or not the order accords with law is a matter which can only be agitated in independent legal proceedings, and not in proceedings under the Contempt of Courts Act. We see no reason, therefore, to proceed against the respondent under the Contempt of Courts Act, or to punish him for wilful and deliberate violation of the order passed by us.

The Contempt Case is, accordingly, closed. The miscellaneous petitions, if any pending, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

J. UMA DEVI, J.

Date:03.08.2018.
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