

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CWP No.20767 of 2017

Anita ... Petitioner

Versus

State of Haryana and others ... Respondents

2. CWP No.16545 of 2017

Manisha Saini and others ... Petitioners

Versus

State of Haryana and others ... Respondents

3. CWP No.18294 of 2017

Sanjeeta Kumari ... Petitioner

Versus

State of Haryana and others ... Respondents

4. CWP No.24018 of 2017

Manoj Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents

5. CWP No.17093 of 2017

Komal Rani and others ... Petitioners

Versus

State of Haryana and others ... Respondents

6. CWP No.18664 of 2017

Sonia Arora and others ... Petitioners

Versus

State of Haryana and others ... Respondents

7. CWP No.19264 of 2017

Rambir and another ... Petitioners

Versus

State of Haryana and others ... Respondents

8. CWP No.21494 of 2017

Seetu and others ... Petitioners

Versus

State of Haryana and others ... Respondents

9. CWP No.22426 of 2017

Rajni and another ... Petitioners

Versus

State of Haryana and others ... Respondents

10. CWP No.22879 of 2017

Hariom and others ... Petitioners

Versus

State of Haryana and others ... Respondents

11. CWP No.23074 of 2017

Monika ... Petitioner

Versus

State of Haryana and others ... Respondents

12. CWP No.22450 of 2017

Rimpy and others ... Petitioners

Versus

State of Haryana and others ... Respondents

13. CWP No.25662 of 2017

Preeti Rawal dhia

... Petitioner

Versus

State of Haryana and others

... Respondents

Date of Decision: 25.01.2018

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

Present: Mr. Sunil K. Nehra, Advocate,
for the petitioner in 20767 of 2017.

Mr. K.S. Yadav, Advocate,
for the petitioners in CWP No.16545 of 2017.

Mr. Sandeep Malik, Advocate,
for the petitioner(s) in CWP Nos.22879, 23074, 22426
and 19264 of 2017.

Mr. Suresh Kumar Kaushik, Advocate,
for the petitioner(s) in CWP Nos.24018, 21494 and
25662 of 2017.

Mr. Salil Sabhlok, Advocate,
for UGC.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J.

1. This order will dispose of CWP No.20767 of 2017 titled *Anita v. State of Haryana and others*, CWP No.16545 of 2017 titled *Manisha Saini and others v. State of Haryana and others*, CWP No.18294 of 2017 titled *Sanjeeta Kumari v. State of Haryana and others*, CWP No.24018 of 2017 titled *Manoj Kumar and others v. State of Haryana and others*, CWP No.17093 of 2017 titled *Komal Rani and others v. State of Haryana and others*, CWP No.18664 of 2017 titled *Sonia Arora and others v. State of Haryana and others*, CWP No.19264 of 2017 titled *Rambir and another v. State of Haryana and others*, CWP No.21494 of 2017 titled *Seetu and*

others v. State of Haryana and others, CWP No.22426 of 2017 titled *Rajni and another v. State of Haryana and others*, CWP No.22879 of 2017 titled *Hariom and others v. State of Haryana and others*, CWP No.23074 of 2017 titled *Monika v. State of Haryana and others*, CWP No.22450 of 2017 titled *Rimpy and others v. State of Haryana and others* & CWP No.25662 of 2017 titled *Preeti Rawaldhia v. State of Haryana and others*.

2. These bunch of writ petitions have been heard today for final disposal in the presence of Mr. Rathee for the State of Haryana and the learned counsel for the petitioners.

3. The apprehension of the petitioners that guidelines issued at Annex P-6 dated July 20, 2017 after the judgment of this Court in CWP No.16975 of 2014, *Mrs. Rita Tandon v. State of Haryana and others* decided on July 29, 2016 and CWP No.14226 of 2016, *Deepak Kumar and others v. State of Haryana and others* decided on September 21, 2016 would be removed straightaway on the coming into force of the guidelines is not well founded and the anxiety expressed that Extension Lecturers who are not NET qualified in terms of the Haryana Education (College Cadre) Group B Service Rules, 2012 is highly exaggerated.

4. This is not the correct interpretation to be placed on para.2 of the guidelines which speaks of disengagement of the unqualified, which grievance is principally assailed in this petition. There can be no doubt that normally only such persons should be engaged to teach who fulfill qualifications prescribed in the rules and the UGC, New Delhi. There can be no quarrel with this proposition. However, the temporary arrangement made in *Mrs. Rita Tandon* and *Deepak Kumar* and other cases in similar strain

before and after these two decisions is only to act as bridge to eventual regular recruitment of qualified college teachers. Needless to say, the State would abide by the directions in *Mrs. Rita Tandon* and *Deepak Kumar* cases and to repeat it is again observed that those petitioners who are engaged as Extension Lecturers but are not NET qualified are open to be replaced by Extension Lecturers who are NET passed candidates.

5. In case, NET qualified candidates are not available in response to the advertisements inviting applications for Extension Lecturers, to the extent of vacancies notified, then the petitioners, who do not possess NET certificates, will have a right to continue as Extension Lecturers for the time being provided their work, conduct and performance is satisfactory. Those petitioners, who are not NET qualified but fall within the deficit/shortfall of advertised vacancies will not be replaced by a similar arrangement till direct recruitment is made and regular candidates are available for joining the cadre posts. However, in cases, where the NET qualified candidates are available to fill all the vacancies required to be filled from amongst Extension Lecturers then it will be open to the Government to engage the petitioners who are NET qualified to the exclusion of others.

6. This settles the matter and the apprehension of the petitioners.

7. Mr. Rathee assures the Court that the directions in the aforesaid two cases will be implemented in letter and spirit.

8. At the end, Mr. Nehra has pointed out to para.9 of the guidelines where it has been provided that Extension Lecturers shall be paid ₹25,000/- per month and they shall be given teaching workload as per University Calendar/State Govt. norms. It is his submission that his clients

are not being paid the promised monthly sum. Mr. Rathee would get this matter looked into by the authorities and the grievance redressed immediately.

9. There can be no doubt that the State will honour its commitment and pay the Extension Lecturers emoluments in terms of the policy of engagement of Extension lecturers with due regard paid to para. 9.

10. With these observations and clarifications, the petitions stand disposed of.

(RAJIV NARAIN RAINA)
JUDGE

25.01.2018

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Whether speaking/reasoned Yes

Whether reportable No