

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

**CWP-20571-2020**

**Date of decision: 09.08.2022**

RAJESH KUMAR AND OTHERS

...Petitioners

VS

STATE OF HARYANA

...Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:-** Mr. R.K.Malik, Senior Advocate with  
Mr. Sandeep Dhull, Advocate,  
For the petitioners.

Ms. Mamta Singla Talwar, DAG, Haryana.

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**ARUN MONGA, J. (ORAL)**

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to consider the claim of the petitioners for promotion as District Development and Panchayat Officers/Deputy C.E.O, Zila Parishad/Deputy Director.

2. Pledged case of the petitioners is that they joined as Block Development and Panchayat Officer and their service conditions are governed by applicable Statutory Rules. Per Rule 9(1) (h) thereof, 83% posts of District Development and Panchayat Officers are to be filled up from amongst the BDPO and 17% posts from amongst Legal Officers. There are total 44 posts of DDPOs and share of Legal Officers comes to 7 posts and share of BDPOs comes to 37 posts. Although 7 posts of DDPO have already been filled up from Legal Officers and out of total 37 posts of DDPO, which comes under the share of BDPOs, only 16 posts have been filled up by way

of promotion from BDPOs and 21 posts are lying vacant. On 11.09.2016, Chief Secretary, Haryana issued instructions to all Head of the Departments that all promotion cases be finalized within 3 months from the date of accrual of the vacancies. Posts are lying vacant since August 2019, and yet, the promotion cases have not been finalized. Petitioners qua their aforesaid grievance submitted various representations, but to no avail. Hence, the instant petition.

3. I have heard learned counsel for the parties and gone through the case file.

4. The recruitments for the post of Deputy Director, Panchayat and District Development & Panchayat Officer are governed by the statutory rules called “The Haryana Development and Panchayat Department (Group-A) Service (1st Amendment) Rules, 1991”. For ready reference, relevant Rule 9 (1) (f) and (h) is reproduced hereinbelow:-

*“9(1) Recruitment to the service shall be made:-*

*f) In case of Deputy Director, Panchayats:-*

*i) By promotion from amongst the Block Development & Panchayat Officers; or*

*ii) By transfer or deputation of an official already in the service of any State Government or Govt. of India.*

*h) In case of District Development & Panchayat Officers-*

*i) 83% by promotion from amongst Block Development & Panchayat Officers and 17% from amongst Legal Officers working in Development & Panchayat Department; or*

*ii) By transfer or deputation of an officer already in the service of any State Govt. or Govt. of India.”*

From the above statutory Rules, it is clear that 83% posts of District Development & Panchayat Officers are to be filled up from Block Development and Panchayat Officers and 17% from amongst Legal Officers working in the Development & Panchayat Department. Similarly posts of

Deputy Director, Panchayat has to be filled up by way of promotion from amongst Block Development & Panchayat Officers.

5. In view of the above, respondents are directed to take steps in accordance with Rule 9 *ibid*. Needful be done within a period of 6 months from today, provided there is any contemplation of making any appointments on the post in question.

6. Disposed of accordingly.

**(ARUN MONGA)**  
**JUDGE**

**August 09, 2022**  
vandana

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |