

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

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**CWP No.5117 of 2022
Date of Decision : 3.10.2023**

*Nutan**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sajjan Singh, Advocate, for the petitioner

Mr. Suneel Ranga, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed against the respondents' action in not adjusting the petitioner as Extension Lecturer in the subject of Home Science despite being eligible.

2. As per facts apparent on record, the petitioner has worked as resource person in the subject of Home Science in Government College for Women, Rohtak, from 10.8.2015 to 30.11.2015, i.e., for sixty-seven days, and from 27.1.2016 to 30.4.2016, i.e., for fifty-five days. In all, she has worked for one hundred twenty two days, taking four hundred eighty eight lectures.

3. Learned counsel for the petitioner has referred to the amended policy guidelines regarding engaging the eligible Extension Lecturers in government colleges on work requirement basis, dated 11.5.2022, Annexure A-3, which is to the following effect:

Clause No.	Existing Provision	New Provision
Additional Amendment	The eligible extension lecturer for at least one semester but were relieved due to less workload/ joining of regular Assistant/ Associate Professors by way of transfer/deputation of fresh appointment on or after 1.7.2014 are to be adjusted and are to be considered as displaced extension lecturer.	That the extension lecturers, who acquired qualification of NET/Ph.D. as per UGC norms on or before the day of notification of the policy dated 4.3.2020 and worked as extension lecturer for minimum period of one semester or 90 days in one academic year will be treated as eligible for re-adjustment.

He contends, since the petitioner has worked for two semesters in the College, as is apparent from the experience certificate dated 7.3.2019, she is entitled to adjustment as Extension Lecturer in terms of the policy. She has acquired Ph.D. degree on 31.10.2015, and is eligible to be appointed as Assistant Professor.

3.1 Learned counsel for the petitioner has also submitted that sixty per cent sanctioned posts of Assistant Professor in the respondent Department are lying vacant. The fact was recorded by this Court in interim order dated 20.9.2023, passed in CWP No.21168 of 2021 titled *Veena Rani v. State of Haryana and others*. The petitioner can be considered for adjustment in terms of the policy against any of these vacant posts.

4. Learned State counsel, on the contrary, contends that the petitioner cannot be considered for re-adjustment as she has not completed ninety days of teaching, nor has she taught for one semester, as is the requirement of the policy/instructions dated 11.5.2022. Secondly, he has submitted that the petitioner was not relieved on account of less workload, therefore, she cannot be considered as 'Displaced Extension

Lecturer' nor can be re-adjusted.

5. Heard.

6. Reading of the amended policy guidelines, dated 11.5.2022, show that an Extension Lecturer, who has acquired qualification of NET, Ph.D as per UGC norms on or before the date of notification of the policy, i.e., 4.3.2020, and worked as such for a minimum period of one semester or ninety days in an academic year, will be treated eligible for re-adjustment. The petitioner, undisputedly, became eligible by acquiring the essential qualification before 04.03.2020, and worked from 10.8.2015 to 30.11.2015 and 27.1.2016 to 30.4.2016 as resource person (as Extension Lecturers were known at that time). Academic year starts from July/August and ends in April/May the next year. Therefore, being eligible and having worked for two semesters and more than ninety days during the academic year 2015-16, she fulfills both the requirements as per the amended policy guidelines, dated 11.5.2022, to be entitled for re-adjustment as Extension Lecturer.

7. It cannot be said that only because the petitioner has not been relieved on account of less workload, she is not to be treated as Displaced Extension Lecturer nor considered for re-adjustment. The amended guidelines, dated 11.5.2022, show the existing provision in the policy, dated 4.3.2020, requiring that only an eligible Extension Lecturer who is relieved due to less workload/joining of regular Assistant Professor on or after 1.7.2014, is to be considered displaced and entitled to re-adjustment, has been replaced by the amended provision whereby such condition has been done away with. The amended provision only requires that Extension Lecturer must have acquired eligibility and worked for

minimum period of one semester or ninety days in one academic year to be entitled for re-adjustment. The petitioner fulfills these requirements, as discussed hereinabove, and becomes so entitled.

8. Accordingly, this petition is disposed of with the direction to the respondents to consider the petitioner for re-adjustment as Extension Lecturer against one of the vacant posts in terms of the extant policy, within a period of four weeks from receiving a certified copy of the order.

(TRIBHUVAN DAHIYA)
JUDGE

3.10.2023
Ashwani

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