

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Writ Petition No. 9169 of 2014 (O&M)

Rajni Bala
... Petitioner(s)

Versus

State of Punjab and Others
... Respondent(s)

2. Civil Writ Petition No. 12621 of 2014 (O&M)

Paramjit Kaur
... Petitioner(s)

Versus

The State of Punjab and Others
... Respondent(s)

3. Civil Writ Petition No. 1828 of 2015

Ramneek Kaur
... Petitioner(s)

Versus

State of Punjab and Others
... Respondent(s)

4. Civil Writ Petition No. 21104 of 2015

Amandeep Kaur and Others
... Petitioner(s)

Versus

State of Punjab and Others
... Respondent(s)

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5. Civil Writ Petition No. 21677 of 2015

Gurpreet Kaur

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

AND

6. Civil Writ Petition No. 26808 of 2015

Babita and Others

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

DATE OF DECISION: 17.04.2023

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Bikramjit Singh Bajwa, Advocate
for the petitioner(s) (In CWP-9169-2014, CWP-1828-2015,
CWP-21104-2015, CWP-21677-2015 and CWP-26808-2015).

Mr. R.K.Arora and Ms. Saguna Arora, Advocates
for the petitioner (In CWP-12621-2014).

Mr. D.K.Singal, Additional Advocate General,
Punjab.

Mr. Anupam Singla, Advocate
for the respondent No.2 (In CWP-9169-2014, CWP-12621-
2014, CWP-1828-2015, CWP-21104-2015, CWP-21677-2015
and CWP-26808-2015).

Anil Kshetarpal, J.

1. A batch of six writ petitions has come up for final disposal. In
all the writ petitions, the petitioners are praying for their reinstatement as

Education Volunteers appointed under the Sarv Shiksha Abhiyan project,

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which is run by a Society, though, jointly funded by the Central as well as the State Governments.

2. In order to encourage the literacy amongst the citizens of the country, the aforesaid project was envisaged by the governments. To achieve that object, certain experienced teachers already posted in the schools were taken as the Block Resource Persons as well as the District Resource Persons on deputation basis. In order to fill the vacuum created in the schools, the Village Education Development Committees (hereinafter referred to as “the Committees”) were authorized to temporarily recruit the Education Volunteers as a stop gap arrangement. All these petitioners were recruited by the Committees. On 18.07.2011, a policy decision was taken in view of the Right of Children to Fair and Compulsory Education Act, 2009 in order to recruit any Education Volunteer w.e.f. 29.04.2011. In certain cases, the services of the petitioners have been dispensed with on the completion of their tenure, whereas in other cases, their services have been terminated as and when the Block Resource Person who came back from deputation and joined the concerned school. It is the case of the petitioners that the respondent authority has been appointing the various Education Volunteers who were having the political connections even after 18.07.2011. This fact is disputed by the learned counsel representing the Sarv Shiksha Abhiyan.

3. The question that arises for adjudication is “whether the petitioners can be ordered to be reinstated?” The petitioners were not recruited on any civil post under the aegis of the State Government. They

were recruited only as a stop gap arrangement as and when required by the

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authority. In some of the cases, it has been found that the Committees appointed the candidates without giving it due publicity in order to invite the applications from the aspirants.

4. Keeping in view the aforesaid facts, this Court is of the view that the petitioners cannot be granted any relief, particularly their reinstatement. However, if any Education Volunteer has been freshly recruited after 18.07.2011, the authority will take appropriate steps for terminating the services after granting him an opportunity of hearing. It would be noted here that in the previous round, the writ petitions filed by the petitioners were disposed of by directing the authority to consider the petitioners' claim as and when there is any review in the policy. The aforesaid direction has already been passed, hence, no further direction is required to be passed.

5. With the observations made above, all the writ petitions are disposed of. The miscellaneous application(s) pending, if any, in all the writ petitions shall also stand disposed of.

**(Anil Kshetarpal)
Judge**

April 17, 2023
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No