

The Tribune

HC raps state for sleeping on recruitment of agri officers

The Punjab and Haryana High Court has virtually rapped the Haryana government for sleeping on a case relating to the appointment of Agriculture Development Officers in the state.

The rap by Justice Tejinder Singh Dhindsa came on a petition by Suman Rani.

The Haryana Staff Selection Commission in 2009 had invited applications for recruitment of 267 agriculture development officers under the Haryana Department of Agriculture. Out of the total, 115 posts were to be filled from the general category candidates. The state in the case claimed that the waiting list had expired and the left out candidates could not be offered appointment letters.

Taking up the matter, Justice Dhindsa asserted that the issue before the court was whether it was open for the government to sleep over the matter on one hand and on the other hand confront the petitioner with a defence that the waiting list had expired.

Justice Dhindsa asserted that the state government had issued instructions in January 1988 that the main and the waiting list would remain valid for a year from the date of recommendations. The remaining candidates' list, if any, would be scrapped after the lapse of the period.

Referring to the case in hand, Justice Dhindsa said the list of selected and waiting candidates was to remain valid up to July 22, 2013. However, the respondent-department did not act in the matter with due diligence. In spite of the fact that three candidates chose not to join the post within the stipulated timeframe, the respondents did not cancel the offers of appointment issued to them.

No justification whatsoever came forth on the state's behalf as to why a candidate's appointment offer was cancelled almost after eight months, though he did not join the service within 15 days of the letter's issuance.

Rather than acting with a sense of promptitude and offering appointment to a candidate who otherwise had been recommended by the recruiting agency and whose name figured in the waiting list, the state government chose to sit over the matter. It cancelled the offer of appointment to a

candidate only after the waiting list expired. In the case of another candidate who chose not to even submit requisite documents, the state government again slept over the matter till July 29, 2013.

Allowing the writ petition, Justice Dhindsa directed the respondent department to issue appointment letter to the petitioner within 30 days. "Such appointment shall relate back to the date when other candidates from the waiting list were appointed to the post in question. However, with a view to balance out the equities, the petitioner will not be entitled to the salary for the period she has not worked against the post," Justice Dhindsa concluded.