



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.246

CM-9763-CWP-2025 in/and
CWP-15972-2024 (O&M)

Date of Decision: 01.09.2025

Jitender Singh and others

.... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Jasbir Mor, Advocate, for the applicant/petitioners.

Mr. Parveen Mehta, Additional Advocate General, Haryana.

Mr. Harmandeep Singh Saini, Advocate, for respondent no.6.

Mr. Chander Pal Tiwana, Advocate, and
Ms. Swati Tiwana, Advocate,
for respondents no.4 to 12, 14 and 16 to 18.

TRIBHUVAN DAHIYA, J. (ORAL)

With the consent of parties, date of hearing of the main case is advanced to today and the same is taken on Board.

2. The petition has been filed *inter alia* seeking a direction to the respondents to give additional charge of Assistant Education Officer (AEO) Sports to the petitioners, who are working as Post Graduate Teachers (PGTs) Physical Education, instead of private respondents who have been assigned the charge as AEO Sports despite working on junior positions as Demonstrators of Physical Education (DPEs) in the Department.

3. Learned counsel for the petitioners contends that the petitioners are working on senior positions, but are not being assigned charge for the posts of AEO Sports, whose functions/duties are to organise sports tournaments in the school, distribute sports items, and conduct meetings



amongst DPEs at inter-State and intra-State levels from time to time. He has referred to guidelines for appointment of AEO Sports, issued vide letter dated 24.07.2017, Annexure P-2; relevant part whereof is as under:

To discharge the above duties and responsibilities, it has been observed that the officer is required to have managerial and administrative capacities. The leadership qualities and overall understanding of the games, health and growth of sports is required. Needless to say, a teacher associated with sports and well-grounded in the teaching work of sports having academic qualifications fit to represent the department at various sport events can be banked on as a fit resource for the purpose understandably as the duties responsibilities are quite wide and sensitive.

Qualifications required:

(a) A PGT Physical education is the senior most teacher associated with the sports/physical fitness matters. Therefore, we can first of all choose AEOs from amongst the PGT Physical Education. But to choose we may give preference to

- (i) Ph.D. in Physical education
- (ii) UGC (Net)/M.Phil. in Physical education
- (iii) NIS diploma
- (iv) National sports achievement

(b) If a PGT Physical education is not available then DPE may also be considered with the same criteria as that of PGT Physical education.

- (i) Ph.D. in Physical education
- (ii) UGC (Net)/M.Phil. in Physical education
- (iii) NIS diploma
- (iv) National sports achievement

(c) The above criteria would be useful in screening the applications. The final selection for appointment as AEO should be based on interview of the candidates screened at above.

This issues with the prior approval of the competent authority.



3.1. Reference has also been made to memo dated 15.04.2021, Annexure P-3, whereby the matter has been sent to the Government seeking permission to fill up the posts of AEO Sports from the senior most PGTs in terms of Policy dated 04.08.2014; the relevant extract whereof reads as under:

As per item no. 1 of this policy, now senior DPEs working in the State of Haryana are being appointed on the post of AEO in the office of the Distt. Education Officers. But Sh. Anil Kumar, DPE, GSSS Panheri (Sirsa) has submitted a complaint on dated 26.01.2020 to the Secretariat of Haryana Vidhan Sabha. On this as per the order dated 17.6.2020 of Additional Chief Secretary to Govt. of Haryana, Education Deptt., a departmental committee was constituted for appointment on the post of AEOs and Department committee has submitted its recommendation on dated 06.08.2020 which was sent to the Hon'ble Chief Minister, Govt. of Haryana for its approval. On this, the Hon'ble Chief Minister, Govt. of Haryana has approved to fill up the post of AEOs from the post of PGTs as per the item no.3 of the policy dated 4.8.2014 on the recommendation of the departmental committee held on dated 31.7.2014.

Therefore, the copies of report of the departmental committee and order of the Hon'ble Chief Minister, Govt. of Haryana are sent with a request that further necessary action be taken to fill up the post of AEOs working in the office of the Distt. Education Officers from eligible PGTs Physical Education working in the schools. This directorate may be informed.

3.2. Further, learned counsel has relied upon certain observations by the Additional Chief Secretary (Sports Education) and Director General, Sports Education, dated 30.11.2023, made on a representation of the same date, Annexure P-11, that till pay grade for the post of AEO Sports is approved, the additional charge should be given to better qualified PGTs in



place of C&V Teachers and TGTs, who can be sent to schools. Pursuant thereto, the Department has given charge of AEO Sports to PGTs in some of the districts, including Sonapat, Fatehabad, Panipat, Nuh, and Bhiwani. However, for remaining districts in the State the respondents are still considering only DPEs for assigning the charge, which is in violation of the guidelines issued by the Government as well as the decision taken vide memo dated 15.04.2021. The decision on upgradation of the post of AEO to Class II is pending with the Government for the last over three years and it may take some more time, which is no justification to exclude the petitioners and other PGTs from holding the charge.

4. Learned State counsel has referred to written statement filed on behalf of the respondents to contend that there is no sanctioned post of AEO Sports in the Department, but vide notification dated 15.09.2005 issued by the Government with a view to improving the sports activities and for proper functioning of sports tournaments in Government schools, the post of AEO Sports has been created, and is required to be filled up from amongst DPEs/PT Masters in their own pay scales. The said notification has not been modified or repealed to date. He, however, does not dispute that in terms of policy dated 04.08.2014 and guidelines issued by the Government dated 24.07.2017, a proposal to upgrade the post of AEO Sports to PGT level has been sent to the Government vide memo dated 15.04.2021. It is also not disputed that senior Government officers have also recommended assigning the charge of AEO Sports to PGTs on 30.11.2023.

5. Submissions advanced by learned counsel for the parties have been considered.

6. It is apparent that the Government is in the process of upgrading the post of AEO Sports to that of Class II post of PGT, so that guidelines



issued by the Government for appointing AEO Sports from amongst PGTs vide letter dated 24.07.2017, can be given effect to. There is no clarity on record, nor has learned State counsel been able to state, as to how much more time will the Government take in upgrading the post in question. However, it is not denied that pending upgradation the charge of AEO Sports has been assigned to PGTs in some of the districts. Therefore, there is no reason why should they not be considered for assigning the charge in the remaining districts as well.

7. The petition is, accordingly, disposed of with a direction to the respondents to consider the petitioners as well as other PGTs Physical Education also for assigning charge as AEO Sports in the districts till final decision regarding upgradation of the post is taken.

8. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

01.09.2025
Maninder

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