IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29230 of 2015 (C)

PETITIONER:

SARIKA P., AGED 32 YEARS
W/O. PRAMODAN P.K., SOUPARNIKA
KARALEMMAL, KARYATTUPURAM, MUTHIYANGA
MUTHIYANGA P.O., KANNUR, PIN-670 691.

BY ADV. SRI.A.CHANDRA BABU

RESPONDENTS:

1. **SECRETARY**
   KERALA PUBLIC SERVICE COMMISSION
   PATTOM P.O., THIRUVANANTHAPURAM-695 004
   PH:0471-2448295.

2. **THE CHAIRMAN**
   BOARD FOR COMMON PHYSICAL MEASUREMENT AND PHYSICAL EFFICIENCY TEST
   CONSTITUTED FOR SELECTION OF FIELD OFFICER
   (CATEGORY NO.163/2013)
   KERALA PUBLIC SERVICE COMMISSION
   THIRUVANANTHAPURAM-695 004
   PH:0471-2448295.

3. **PRINCIPAL SECRETARY TO GOVERNMENT**
   F&WLD, GOVERNMENT SECRETARIAT
   THIRUVANANTHAPURAM-695 001.

4. **MANAGING DIRECTOR**
   KERALA FOREST DEPARTMENT, CORPORATION LTD.
   NEAR BHEEMANPADI JUNCTION, KOTTAYAM-
   THIRUVARPPU RD., KARAPUZHA
   KOTTAYAM-686 003, PH:0481 2581205.

BY ADVS. SRI.T.R.HARIKUMAR, (SC FOR KFDC)
SRI.V.G.ARUN
SRI.P.C.SASIDHARAN, SC, KPSC
BY GOVERNMENT PLEADER SMT. M.J. RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29230 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1	**-**	**COPY OF THE GAZETTE FOR CATEGORY NO.163/2013 DATED 29.06.2013 ISSUED BY 1ST RESPONDENT.**
EXT.P2	**-**	**COPY OF THE PROVISIONAL ADMISSION TICKET WITH SERIAL NO.516 ISSUED BY THE 1ST RESPONDENT.**
EXT.P3	**-**	**COPY OF THE NOTIFICATION BEARING NO.240/2010 DATED 31.08.2010 ISSUED BY THE 1ST RESPONDENT.**

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P(C). No.29230 of 2015

Dated this the 1st day of October, 2015.

JUDGMENT

Even in the present scenario of female empowerment, the petitioner seeks relaxed standards for selection to the post of Field Officer in the Kerala Forest Development Corporation Limited, Kottayam. The Public Service Commission had called for applications as per Ext.P1, in which the selection procedure; as also a specification with respect to physical standards and physical efficiency was prescribed.

2. The petitioner applied for the post as per Ext.P2. The petitioner was called for the written examination and she qualified. The petitioner has now to undertake the physical efficiency test. At that point, the petitioner approached this Court and contended that women and men cannot be treated equally and that Ext.P1 was not clear in so far as there being no stipulation that the very same standards would be applied to

women also.

3. In fact Ext.P1 does not discriminate between women and men. Both are entitled to apply for the post notified. The stipulation given is also applicable to both, as is seen from the notification. If different standards were applied, the Public Service Commission definitely would have had to state the different standards being made applicable to men and women. However, when both were treated equally for selection to a post, in which the duties discharged would be identical; whether it be women or men, there was no requirement for the Public Service Commission to indicate that the women also would be treated equal to men and would be evaluated on the very same standards.

4. The reliance placed on other recruitments, where lesser standards were applied, would not permit an assumption that the petitioner was not aware of the different standards being applied under the instant notification. The petitioner, applied under the notification and having qualified, now seeks to be considered differently from the other candidates.

5. The learned Standing Counsel has also produced the

Special Rules, which indicate the mode of selection of Field Officers, which is by direct recruitment or appointment by transfer of officers in other categories. The physical qualifications are prescribed in Annexure A3 vide: sub-Rule 6 of Rule 6. Annexure A3 also indicates the very same physical standards for women and men to be appointed to the post of Field Officer.

6. Further, it is to be noticed that, it is not as if the women compete with the men. The efficiency test, indicated as per Ext.P1, is that out of 8 items specified therein, any candidate, who has to be considered for selection, would have to qualify in five events. That is an essential bench-mark and qualifying criteria.

7. This Court for all the aforesaid reasons, does not find any reason to direct the Public Service Commission to apply a different standard, since that would go against the Special Rules and would be in violation of the terms of the notification.

The writ petition hence would stand dismissed. No costs.

Sd/-

K. VINOD CHANDRAN,
JUDGE

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//True Copy//

P.A. to Judge.