

HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

WRIT APPEAL No.1014 of 2015

JUDGMENT: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ appeal, under Clause 15 of the Letters Patent, is filed aggrieved by the order dated 16.09.2015 in W.P.No.14965 of 2015 passed by the learned Single Judge of this Court.

In the writ petition, it is the case of the appellant/petitioner that he is a graduate in Bachelor of Information Technology and MBA (HR) from Sikkim Manipal University. The 1st respondent – Singareni Collieries Company Limited has issued notification No.1/2015 calling for applications from the qualified candidates to fill up various posts including the post of Management Trainee (Personnel). It is stated that the petitioner is one of the applicants, but he was not issued hall ticket and, therefore, he filed W.P.No.14965 of 2015 and obtained interim orders. Subsequently, orders were passed by the respondents rejecting the claim of the petitioner on the ground that he does not possess the requisite qualifications notified for the post of Management Trainee (Personnel).

As per the notification, for the post of Management Trainee (Personnel), the qualifications required are as follows:

“Graduates with at least Two Years full-time Post Graduate Degree/P.G. Diploma/Post-Graduate Programme in Management with Specialisation in HR/Industrial Relations & Personnel Management or

MHRD or MBA Specialisation with HR (Major) or Master of Social Work with Specialisation in HR from recognized Indian University / Institutes with minimum 60% marks.”

Subsequent to issuance of notification No.1/15, the respondents have issued circular on 28.04.2015 clarifying the qualifications which are required in fulfilment of the qualifications mentioned in the notification and in respect of the persons possessing Degree Provisional Certificates as “MBA HR Major” and where there was no specific mention, it was ordered to consider the candidates with qualification of Master of Social Work (HR) with four or more subjects and in case of MBA (HR), seven or more subjects, by equating such criteria as equivalent to MBA HR Major.

In this case, it is not in dispute that the qualification possessed by the petitioner does not specify MBA HR Major. Even by applying the circular, the petitioner does not fulfill the criteria as clarified in the circular instructions. It is also not in dispute that the petitioner has pursued MBA with HR specialisation confining to three subjects, but not against the requirement of seven subjects as per the circular instructions.

In this writ appeal, it is argued by learned counsel for the appellant that the circular was issued subsequent to issuance of the notification and, as such the same could not be the basis for fixing the eligibility criteria. Even without reference to circular instructions, as per the notification, the candidates with MBA specialization in HR (Major) alone are qualified for the post of Management Trainee (Personnel). As per the notification, the petitioner is not fulfilling the eligibility criteria, as rightly observed by the learned Single Judge. Even as per the circular instructions also, the petitioner is not fulfilling the eligibility criteria. Hence, we do not find any merit in the writ petition to interfere with the order of the learned Single Judge.

Accordingly, the Writ Appeal is dismissed. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

17.11.2015

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