

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.14965 of 2015

and

CONTEMPT CASE No.1476 of 2015

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COMMON ORDER:

The petitioner is a graduate in Bachelor of Information Technology and MBA (HR) from Sikkim Manipal University. When the respondents issued a notification No.1/2015 calling for applications from the qualified candidates to fill up various posts including the post of Management Trainee (Personnel), the petitioner applied. In the list published for issuance of hall tickets on 18.05.2015 to enable the candidates to appear for written examination on 01.06.2015, the name of the petitioner was not found. In those circumstances, challenging the non-issuance of hall ticket, the petitioner filed W.P. No.14965/2015.

This Court, in view of the earlier orders issued in several other cases, while admitting the above said writ petition on 28.05.2015, directed the respondents to receive the application of the petitioner and permit him to write the examination for selection to the post of Management Trainee (Personnel), subject to the result of the writ petition and eligibility. After receipt of the orders, the respondents passed an order on 30.05.2015, rejecting the request of the petitioner for issuance of hall ticket on the ground that he obtained MBA from Sikkim Manipal University of Health, Medical and Technological Sciences without any specialisation of HR; thus, he was not allowed to write the examination for the post of Management Trainee (Personnel). Challenging the said order and alleging non-compliance with the orders of this Court, the petitioner filed C.C.No.1476/2015 and the same is also taken up along with the writ petition.

The learned Standing Counsel for the respondents submitted

that in respect of HR specialisation (Major & Minor)/ M.A. (Social Work) with HR, a circular was issued on 28.04.2015 and the applications of the eligible applicants were scrutinized as per the said circular and the petitioner was found to be not possessing the required qualification for the post of Management Trainee.

The learned counsel for the petitioner submitted that the said circular was not made available nor was notified at the time of the notification inviting applications for the post of Management Trainee (Personnel).

The required qualifications mentioned for the post of Management Trainee (Personnel) 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 recognised Indian University/Institutes with minimum 60% marks.”

The circular issued on 28.04.2015 clarified the qualifications which are required in fulfilment of the qualifications mentioned in the notification and taking into consideration the past experience in respect of the notification issued in the year 2013, the clarification was accordingly issued. The said circular states that in respect of the persons possessing Degree Provisional Certificates as “MBA HR Major” where there was no specific mention, it was ordered to consider as under:

“MSW (HR) is having where 4 or more and in case of MBA (HR) 7 or more subjects are covered in the respective Syllabus mentioned in the marks memo will be treated as Major (HR) for the purpose of considering as eligible qualification for the post of Management Trainee (Personnel)”

As can be seen from the consolidated statement of marks issued by the Sikkim Manipal University on 01.02.2006, the petitioner is having only three subjects in Human Resources Management. Since the petitioner was having only three subjects in HR area, the

petitioner was not allowed to write the examination. Action taken by the respondents in not permitting the petitioner to attend for the written examination by proceedings dated 30.05.2015 rejecting the request of the petitioner for issuance of hall ticket cannot be found fault.

In the circumstances, Both the Writ Petition and the Contempt Case are liable to be dismissed, and are accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition and Contempt Case shall stand closed.

A.RAMALINGESWARA RAO, J

16.09.2015

MVA

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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