

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.320 of 2016
Date of Decision:-1.3.2016.

Parminder Deep Kaur and others

.....Appellants

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Harinder Sharma, Advocate for the appellants.

SURYA KANT, J. (ORAL)

1.) The appellants assail the order dated 10.2.2016 whereby learned Single Judge has dismissed their writ petition in which they sought a direction to the respondents to consider their candidature for the post of Elementary Trained Teachers (ETT) advertised by the Director, Education Recruitment Board, Punjab vide advertisement Annexure P-1.

2.) It was the conceded position before the learned Single Judge and is not disputed before us also that the appellants do not possess the requisite qualification as notified in the advertisement, according to which a candidate is required to have the qualification of

Matric/10+2 along with “Training/Elementary Teachers Training 2 years course of Punjab State ----xxx---xxx”. Besides the above qualification, the candidates are required to have passed Teachers Eligibility Test -1 (P.S.T.E.T.-1) conducted by Government of Punjab under the RTE Act.

3.) Indisputably, the appellants do not possess the Training/Elementary Teachers Training Course of two years of Punjab State or any diploma equivalent thereto recognized by the Punjab Government.

4.) It is also an admitted fact that the qualification incorporated in the subject advertisement is the same as prescribed in the Statutory Service Rules known as the Punjab State Education Elementary Service Rules, 1991.

5.) As against it, the appellants possess the qualification of B.A. B.Ed. They claim eligibility for the advertised posts of ETTs on the strength of “Guidelines for Punjab State Teacher Eligibility Test” which were issued on May 7, 2011 and wherein one of the clause was to the following effect:-

“ii) For this year only, a candidate with BA/B.Sc. With at least 50 % marks and B.Ed qualification shall also be eligible for test for classes I to V, provided he/she undergoes, after appointment, an NCTE recognized 6-month special program in Elementary Education. Minimum Qualifications for Classes VI-VIII.”

6.) Learned Single Judge has turned down the aforesaid

plea, observing that despite these Guidelines, the Education Department has consciously incorporated in the subject advertisement that a candidate must possess the qualification of two years Training/Elementary Teachers Training Course in addition to the requirement of passing Teachers Eligibility Test.

7.) Since the qualification recommended in the Guidelines have not been incorporated in the Statutory Service Rules and did not find mention in the advertisement also, no right accrues to the appellants to claim themselves eligible for the advertised posts.

8.) Dismissed.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

March 1, 2016.

sandeep sethi