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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.1375 of 2018 (O&M)

Date of Decision: 22.02.2018

RADHAY SHAM

..... Petitioner

Versus

**PUNJAB STATE POWER CORPORATION LIMITED AND
ANOTHER**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vikas Arora, Advocate for the petitioner.

Mr. Atul Nanda, Advocate General Punjab assisted by
Mrs. Lavanya Paul, Assistant Advocate General, Punjab
for the respondents/State.

JASWANT SINGH, J. (ORAL)

In compliance of the order dated 15.02.2018, Mr. Venu Prasad,
Chairman-cum-Managing Director, Punjab State Power Corporation Limited
(PSPCL), is present in Court.

The petitioner possesses the degree in B. Tech in Electronics
and Communication Engineering from the Punjab Technical University with
69% of marks. He has, *inter alia*, laid challenge to the advertisement dated
20.12.2017 (**Annexure P-1**), issued by Punjab State Power Corporation
Limited (PSPCL) to the extent that 300 posts of Junior Engineers
(Electrical) have been advertised with the basic and professional
qualifications of Diploma in Electrical/Electrical and Electronics/Computer

Science/I.T. Engineering with minimum of 60% marks or the B.Tech/BE/B.Sc Engineering in Electrical/Electrical and Electronics/Computer Science/IT Engineering with a minimum of 50% marks **OR** equivalent degree.

The grievance is that the candidates like the petitioner who possess Degrees or Diplomas in the stream of Electronics and Communication Engineering have been denied the right to apply being ineligible. The primary contention is that if the candidates with Degrees or Diplomas in Computer or IT Engineering have been made eligible to the post of Junior Engineers (Electrical), then the candidates like the petitioner having acquired similar qualification in Electronic stream be also be made eligible for appointment to post of Junior Engineer, governed by the Punjab State Electricity Board Technical Service Class-III Rules, 1996 which, however, provides for Degrees/Diplomas in Electrical Engineering to be the only prescribed qualifications.

Upon notice, a reply dated 22.02.2018 on behalf of respondent Nos.1 & 2 has been filed in Court today, which is taken on record.

In the reply, it has been pointed out that the respondent-Board in its 33rd meeting on 27.05.2014 had duly adopted the Resolution to amend the basic qualifications of Junior Engineer (Electrical) to include the Diploma and Degrees in Computer Science and IT Engineering as the alternate qualifications.

Thus, it is submitted that the aforesaid alternate qualifications of Computer Science and IT Engineering for recruitment to the post of Junior Engineers (Electrical) are not beyond the prescribed statutory

qualifications. The reasons for adopting the aforesaid alternative qualifications is the PSPCL was in the process of implementing Modern Technical Systems and, therefore, there was a necessity to recruit persons with such alternate qualifications equipped in handling computerization requirements of the Corporation.

After hearing learned counsel for the parties and perusing the pleadings, it is evident that the statutory rules stand amended, whereby the alternate Diplomas and Degrees in Computer and IT Engineering stand included, therefore, the plea is that the qualifications are beyond the statutory rules, is not sustainable.

As regards the plea that the degrees in the stream of Electronics and Communication be also included, cannot be entertained, as it is the prerogative of the employer to provide the essential qualifications keeping in view the requirement of the posts to be manned by Technical persons.

Dismissed.

February 22, 2018
'rajneesh'

(JASWANT SINGH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No