

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

CWP No.4761 of 2018

Date of Decision:-14.03.2018

Manpreet Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Ms. Alka Chatrath, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

The unsuccessful candidates for the post of Agriculture Development Officer (Group-A), have filed the present writ petition seeking issuance of writ in the nature of Certiorari, for quashing the impugned merit list dated 7.11.2017 (**P-6**) and category wise select list dated 2.2.2018 (**P-9**) on the ground that respondent no.3 Punjab Public Service Commission has arbitrarily not granted any marks to the petitioners, who possess the higher qualifications of M.Sc (Agriculture), apart from essential qualification of B.Sc (Agriculture).

Learned Counsel for the petitioners has argued that as per the Punjab Agriculture (Group-A) (Amendment) Services Rules 2016 as well as advertisement dated 20.12.2016 (**P-4**), the essential qualifications for the post of Agriculture Development Officer (Group-A) refers to a proviso, whereby preference has to be given to a person who possesses the degree in

has been argued that as per the information sought by the petitioners under RTI, which has been replied by Punjab Public Service Commission, it has been informed vide letter dated 17.8.2017 (P-5) that no preference or marks has been given to any candidate who possessed a degree of M.Sc in Agriculture. Thus the argument of the petitioner is that the impugned action of the respondent no.3-Punjab Public Service Commission of not awarding any marks for possessing the degree of M.Sc (Agriculture) or in the alternative not giving any preference to those candidates who possessed a degree of M.Sc. is arbitrary, against the statutory rules and thus liable to be set aside.

After hearing learned Counsel for the petitioner and having gone through the paper book with her assistance, this Court is of the considered view that the present petition is devoid of any merit and deserves to be dismissed.

Undoubtedly, as per the advertisement as well as the statutory rules, the essential qualifications for the post of Agriculture Development Officer (Group-A) is as follows:-

Should possess degree in B.Sc. (Agriculture) (with minimum Sixty percent marks), from a recognized University or Institution.

Provided that preference shall be given to a person who possesses a degree in M.Sc. (Agriculture), from a recognized University or Institution.

A bare reading of the said essential qualifications would make it clear that preference can be given to the candidates in a situation when a candidate possessing a degree in B.Sc (Agriculture) is having equal marks to a candidate who possesses the M.Sc (Agriculture) at the time of declaration of the final result. The said clause cannot be read in such a

manner that M.Sc. Candidates are required to be preferred over the B.Sc candidates at the time of recruitment, examination/interview. The proviso to the said qualification has been added only to give preference when the candidates are to be compared, not on merits but on the basis of their degrees. Thus, the action of the respondent-commission of not awarding any marks in the criteria to the candidates who possessed any degree in M.Sc. (Agriculture) does not suffer from any illegality or arbitrariness.

Even otherwise, it is not in dispute that the criteria adopted by respondent no.3-Commission has been applied uniformly to all the candidates.

In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

March 14, 2018
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>