

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 01.05.2018****CWP No.6806 of 2018**

Geeta Devi

...Petitioner

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. M.D.Khan, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

Photocopy of the original scrutiny sheet has been produced today by the learned Law Officer from the Commission. The scrutiny form has been signed by the petitioner. The petitioner applied under the Outstanding Sports person- Scheduled Caste (OSP-SC) category for the post of MPHWS (Female). It is recorded in the scrutiny sheet that OSP certificate was not attached. The petitioner was declared ineligible in writing on the face of the scrutiny sheet itself on 13.02.2018. Copy of the scrutiny form is retained on record as Mark-A.

By a letter dated 05.03.2018, the petitioner made a request to the Secretary, HSSC, Haryana that she may be permitted to produce the Sports Gradation Certificate. The petitioner's candidature has been rejected since she did not possess the Sports Gradation Certificate issued by the competent authority on the closing/cut-off date. There was a specific condition in the advertisement that eligibility would be seen from the cut-off

date, which means that Sports Gradation Certificate issued by the Department of Sports & Youth Affairs, Haryana should have been mentioned and a scanned copy thereof should have been uploaded while applying on-line. The original was to be produced at the time of scrutiny to confirm the truthfulness of the statements made in the on-line application form. Therefore, there is no legal infirmity in the action of the Commission if the case of the petitioner has not been considered. This is the view taken by me earlier on the same point in CWP no.5685 of 2018 titled 'Kuldeep Singh Vs. Haryana Staff Selection Commission' decided on 13.03.2018 and CWP No.6256 of 2018 titled 'Vinod Kumar Vs. State of Haryana & another' decided on 05.04.2018 as well as another judgment and order by Brother Arun Palli, J. in CWP No.6114 of 2018 titled 'Manoj Kumar Vs. State of Haryana & others' decided on 13.03.2018. Thus, failure of a candidate to produce the Sports Gradation Certificate in support of his candidature either at the time of submitting on-line application form or during the course of scrutiny would result in declaration of ineligibility. I am told that the process of selection stands concluded, but appointments have not been made so far.

Even otherwise, the petitioner has secured 27 out of 200 marks in the written examination and with such low score cannot qualify her for any of the categories advertised for the post of MPHWP (Female) including OSP-SC.

For the foregoing reasons, this petition is held to be devoid of merit and is accordingly dismissed.

01.05.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>