

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: May 03, 2018

+ **W.P.(C) 5443/2016 & CM No. 22654/2016**

RIMJHIM

..... Petitioner

Through: Ms. Ankita Chaudhary with Mr.
Santosh Kumar and Mr. Utsav,
Advocates

Versus

FOOD CORPORATION OF INDIA

..... Respondent

Through: Mr. Rishi K Awasthi,
Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Vide letter of 31st December, 2015 (Annexure P-8), petitioner was called for document verification for the post of Assistant Grade II (Hindi) as her name was at serial no. 6 in the list of candidates (in order of merit).
2. By way of this writ petition, a direction is sought to respondent-FCI to issue appointment letter to petitioner as she has been provisionally selected.
3. The stand taken in the counter affidavit by the respondent-FCI is that upon document verification of petitioner, it was found that Relieving cum Experience letter dated 27th August, 2014 issued to petitioner did not disclose that she had one year experience of translation from Hindi to English and *vice versa* and since petitioner was not found to be eligible as she was not having the requisite experience of translation from English to Hindi and *vice versa*, therefore, she was not issued the appointment letter.

4. Learned counsel for petitioner submits that the experience certificate (Annexure P-4) clearly reveals that petitioner had been doing translation work when she was working with Hindustan Media Ltd. and so it cannot be said that petitioner was not having experience of translation.

5. On the contrary, learned counsel for respondent-FCI submits that experience certificate (Annexure P-4) does not indicate that petitioner had done translation from Hindi to English or *vice versa* and so, no case for issuing appointment letter is made out.

6. Upon hearing and on perusal of experience letter (Annexure P-4), material on record and the decision in *Gyanendra Kumar Bhardwaj v. Director General, ITBP & Ors.* in WP(C) No. 5130/1998 rendered on 8th August, 2011. I find that one year experience of translation from English to Hindi and *vice versa*, is essential for being selected as Assistant Grade II – Hindi and the experience letter (Annexure P-4) reveals that petitioner has worked as Staff Reporter with a media company and was engaged in doing editing, news collection and translation and other editorial work assigned to her. This experience certificate nowhere states that petitioner had been doing any substantial work of translation from Hindi to English or *vice versa*.

7. What kind of translation experience is required has been aptly considered by a Division Bench of this Court in *Gyanendra Kumar Bhardwaj (supra)*. The pertinent observations made in this decision are as under :-

“Somebody doing casual translation and somebody doing translation as a matter of routine is an entirely different issue. The certificates relied upon by the petitioner would reveal that he was predominantly performing clerical duties and sometimes or on ‘many a times’ would be doing translation work. Many a times doing translation work would not mean that predominant work being done was that of translation. For example, a man may be translating one letter everyday as a part of his clerical duties. This would consume only 10 minutes and for the remainder 5 hours and 50 minutes (working hours being 6 hours) the man does simple clerical work. Surely, this person cannot claim that he has the requisite experience in translation.”

8. Upon testing the experience letter (Annexure P-4) on the aforesaid parameters, this Court finds that petitioner did not have the requisite experience of one year in doing translation work from English to Hindi or *vice versa* and so, denial of appointment on the post of Assistant Grade II (Hindi) to petitioner is justified.

9. In the light of the aforesaid, this petition and the application are accordingly dismissed.

(SUNIL GAUR)
JUDGE

MAY 03, 2018

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