

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.4311 of 2018

Date of Decision: July 17, 2019

Rozy Kataria

...Petitioner

Versus

Harana Public Service Commission, Panchkula & another

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. Kanwal Goyal, Advocate,
for respondent No.1.

Mr. Gaurav Jindal, Addl.A.G.Haryana,
for respondent No.2.

AMIT RAWAL, J. (Oral)

Petitioner has sought quashing of the announcement dated 17.03.2016 (Annexure P-2), whereby her candidature for the post of District Information and Public Relation Officer Class-II (Group-B), has been rejected on the ground of not possessing requisite experience, as per the advertisement.

Mr. Naveen Sharma, learned counsel appearing on behalf of the petitioner submitted that Haryana Public Service Commission caused an advertisement for filling up various posts including the one as referred to above, whereby essential qualifications were as under:-

*“a) Master's degree in Mass Communication or Journalism
from a recognized University and two years media experience*

in a National Daily Newspaper or Television Channel or Publicity Organization of Government or Public Undertaking or University; OR

M.A.(Hindi or English) from a recognized University and one year Post Graduation Diploma in Mass Communication or Journalism and two years media experience in a National Daily Newspaper or Television Channel or Publicity Organization of Government or Public Undertaking or University;

Note:- The required experience should be after attaining the requisite qualifications.

b) Hindi/Sanskrit upto Matric standard.

Desirable

- i) Experience of media writing;*
- ii) Proficiency in use of computer (Word Processing);*
- iii) Proficiency in English writing;*
- iv) Specialization in Public Relations at Master's Degree level.”*

The petitioner possessed M.A. in Mass Communication and worked as Reporter with a National Newspaper, namely, Sach Kaho, Sirsa w.e.f. 01.02.2010 to 31.03.2011 and also worked as a Clerk in the office of Information Public Relations and Cultural Affairs, Haryana, which is evident from Annexure P-6 dated 04.04.2011. Her services were also regularised. Annexure P-8 dated 28.03.2016, i.e., experience certificate shows that she also contributed in press works, like preparation of features, article, press note and collection of information etc. and, therefore, the petitioner possesses two years experience certificate which is sine-quo-non for consideration to the post.

I have heard the learned counsel for the petitioner and appraised the paper book.

This Court vide order dated 22.02.2018, called upon the

Director General, Information Public Relations and Cultural Affairs Department, Haryana to explain by way of affidavit regarding the authenticity of the letter dated 30.11.2015 (Annexure P-7). In terms of the aforementioned direction, affidavit dated 23.05.2018 has been filed, where in Paragraph 4, it has been written as under:-

“4. That it is respectfully submitted that the letter dated 30.11.2015 (Annexure P-7) was a communication from the Department of Information, Public Relations and Languages, Haryana to the Haryana Public Service Commission regarding granting of permission and forwarding of the application form for applying for the post of District Information and Public Relations Officer. That after Hon'ble Punjab and Haryana High Court took cognizance of letter dated 30.11.2015 (Annexure P-7), the department re-examined the case of the petitioner and realized its inadvertent mistake. That the Department of Information, Public Relations and Languages has decided to partially withdraw letter dated 30.11.2015 (Annexure P-7) to the extent that “the employee fulfills the desired education qualification and conditions for this post”. That the same has also been communicated to the Haryana Public Service Commission. The deponent has the highest regard for this Hon'ble Court and tenders an unconditional and unqualified apology for any inconvenience caused to this Hon'ble Court. It is further submitted that Haryana Public Service Commission being recruiting agency may take final call regarding fulfillment of requisite eligibility and qualification prescribed for the post.”

Once the department has realized its mistake to be inadvertent, in such circumstances, the petitioner does not fulfill the condition of two years experience. Even the authenticity of the experience certificate is also not proved. In such circumstances, I am of the view that the petitioner did not possess the requisite experience and rightly so her candidature has been

rejected.

For the reasons stated above, I do not find any illegality or arbitrariness in the aforementioned action. No ground for interference is made out. Resultantly, the writ petition is dismissed.

July 17, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No