

15.12.2020

Ct. No. 24

Item No. 28

pk.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
WPA No. 10601 of 2020

Binayak Sinha

-vs-

The Public Service Commission, W.B. & Ors.

Mr. Supriyo Chattopadhyay,
Mrs. Saswati Adhikary for the petitioner

Mr. Pradip Kumar Roy,
Ms. Shraboni Sarkar for the PSC

The petitioner is aggrieved by the rejection of his candidature for selection in the post of Assistant System Manager (Group-A Service).

The candidature of the petitioner has been rejected on the ground of unsuitability of his qualification and experience.

The advertisement published for appointment specifically mentions that for the purpose of appointment in the post of Assistant System Manager (Group-A Service) the educational qualification required is (i) B. Sc. in Computer Science, or Diploma in Computer Engineering, or B. Sc. Plus DOEACC "A " passed or equivalent (ii) two years experience in Computer Programming in a Government Establishment or Statutory concern, or Private concern of repute.

The educational certificates of the petitioner annexed to the writ petition does not show that he possesses

either B. Sc. Degree in Computer Science or Diploma in Computer Engineering. The petitioner relies upon the M. Sc. qualification that he obtained in Information Technology.

In my opinion, the qualification of the writ petitioner certainly does not match the requisite qualification as published in the advertisement. The decision of the respondent authorities in rejecting the candidature of the petitioner cannot be faulted.

It is the duty of the employer to specify the eligibility qualification of a candidate for the purpose of appointment and only if the educational qualification of the prospective matches with that of the requisite qualification then only the candidate becomes eligible for participating in the selection process. It is not open for the court to fix up a separate educational qualification as the eligibility criteria of a prospective candidate.

The writ petition does not have any merit and is hereby dismissed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)