

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 2581 of 2017

Mihir Kanta Singh

.....

Petitioner

Mr. A. Mishra, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

*Mr. S. Rath, ASC &
Mr. C. Sahu, Advocate*

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

05.09.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. A. Mishra, learned Counsel for the Petitioner, Mr. S. Rath, learned Additional Standing Counsel for the State and Mr. C. Sahu, learned Counsel for OPSC.

3. The Petitioner has filed this Writ Petition seeking declaration that he has possessed the requisite educational qualification for the post of Forest Ranger in consonance with the advertisement as at Annexure-1 and, thereby, the case of the Petitioner shall be considered by the authority for appointment to the said post.

4. Mr. Mishra, learned counsel for the Petitioner vehemently contended that the petitioner has read his subject Physics and Mathematics as per the statement of marks placed on record at page-17 of the brief. Therefore, if the petitioner has read the subject Mathematics and Physics, he could have been considered to participate in the process of selection for the post of Forest Ranger as per the advertisement under Annexure-1.

5. Mr. S. Rath, learned Additional Standing Counsel contended

that Clause-4 of the advertisement states about the educational qualification and, as such, the candidate must have possessed Bachelor's Degree from a recognized University or Institution in India with at least one of the following subjects namely Botany, Chemistry, Geology, Mathematics, Physics, Statistics, Veterinary Science and Animal Husbandry and Zoology or a Bachelor's Degree in Agriculture, Forestry or in Engineering or an equivalent qualification. But the petitioner having the degree in Computer Science, he is not eligible to satisfy the educational qualification criteria prescribed in the advertisement.

6. Mr. C. Sahu, learned counsel appearing for the OPSC contended that the petitioner having obtained degree of Bachelor of Science with main Computer Science as CORE course, the same is not required as per the terms and conditions of the advertisement. Therefore, his candidature was rejected by the Commission for recruitment to the post of Forest Ranger pursuant to the advertisement No. 21 of 2015-16 for which he was not allowed to participate in the viva voce test.

7. Having heard learned counsel for the parties and after going through the record, it appears the educational qualification has been prescribed at clause-4 of the advertisement for the post of Forest Ranger, Group-B of Odisha Forest Service under Forest & Environment Department and the same reads as follows:-

“4. Educational Qualification:

A candidate must have possessed Bachelor's Degree from a recognized University or Institution in India with at least one of the following subjects namely Botany, Chemistry, Geology, Mathematics, Physics, Statistics, Veterinary Science and Animal Husbandry and Zoology or a Bachelor's Degree in Agriculture, Forestry or in Engineering or an equivalent qualification.

8. On bare perusal of the aforesaid qualification, it requires that the candidate must possessed Bachelor's Degree from a recognized University or Institution in India in the subjects mentioned therein. As it appears, that Computer Science has not been included in the subjects under Clause-4. Though in the mark sheet provided to the petitioner at page-17 of the brief that the petitioner has read Physics and Mathematics as one of the subjects while prosecuting his course in computer science, that *if so facto* cannot give benefit in terms of Clause-4 of the advertisement, because Clause-4 is very clear that the candidate must possess Bachelor's Degree in different subjects mentioned therein. Even though the Petitioner has read the subject Physics and Mathematics in obtaining the Bachelor Degree in Computer Science, that itself cannot be said that he has got educational qualification in terms of Clause-4 of the advertisement.

9. In that view of the matter, the relief claimed by the petitioner cannot sustain. Accordingly the writ petition merits no consideration and the same stands dismissed.

Arun

(DR. B.R. SARANGI, J.)