

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

**202/2**

**CWP-4099-2019 (O&M)**

**DATE OF DECISION: 27.09.2022**

**DR. CHETAN SHARMA**

**... Petitioner(s)**

**Versus**

**KURUKSHETRA UNIVERSITY, KURUKSHETRA ... Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Sunil K. Nehra, Advocate for the petitioner.

Mr. A.S. Virk, Advocate for R-1.

Mr. Salil Sabhlok, Advocate for R-2.

Mr. R.K. Malik, Senior Advocate with  
Mr. Digvijay Singh, Advocate for R-3.

**ANUPINDER SINGH GREWAL, J. (ORAL)**

The petitioner has challenged the advertisement No.1/2018(Annexure P-1) issued by the respondents inviting applications for the post of Librarian.

Learned counsel for the petitioner submits that the criteria set out in the impugned advertisement was contrary to the UGC Regulations inasmuch as the UGC Regulations issued on 18.07.2018 had specified the experience to be of 10 years while in the advertisement it was stipulated as 13 years as Deputy Librarian or 18 years as College Librarian. All other universities in the country had adopted the UGC Regulations, even to the advertisements which had been issued prior to the Regulations. The respondents had also filled all other posts except the post of Librarian in pursuance to the UGC Regulations issued in July 2018. The official respondents have not followed the UGC Regulations 2018 with regard to the impugned advertisement just to favour respondents No.3 & 4.

Learned counsel for the respondents-University submits that the impugned advertisement was issued on 14.03.2018. The last date for submission of the application form was 16.04.2018. The UGC Regulations which were in force at the time of the last date of submission of application form, were the UGC Regulations issued in the year 2010 and therefore, no change was made in the eligibility criteria.

Heard.

The respondents had issued the advertisement on 14.03.2018. The last date of issuance of advertisement was 16.04.2018. The qualification for the post of Librarian had been set out hereunder:-

**“04 LIBRARIAN  
Essential**

- 1. A Master’s degree in Library Science/Information Science/Documetnation with at least 55% marks or its equivalent grade of B in the UGC seven point’s scale and consistently good academic record set out in these Regulations.
- 2. At least thirteen years as a Deputy Librarian in a Unviersity Library or 18 years’ experience as a Collge Librarian.
- 3. Evidence of innovative Library service and organisation of published work.
- 4. A minimum score as stipulated in the Academic Performance Indicator (API) Based Appraisal system (PBAS) available on University website separately.

**Good Academic Record**

It is hereby clarified that where the University/College/Institution declares results in grade points, which is on a scale of seven, the following mechanism shall be referred to ascertain equivalent marks in percentage:

| Grade              | Grade Point | % age equivalent |
|--------------------|-------------|------------------|
| ‘O’-Outstanding    | 5.50-6.00   | 75-100           |
| ‘A’- Very Good     | 4.50-5.49   | 65-74            |
| ‘B’-Good           | 3.50-4.49   | 55-64            |
| ‘C’-Average        | 2.50-3.49   | 45-54            |
| ‘D’- Below Average | 1.50-2.49   | 35-44            |
| ‘E’ – Poor         | .50-1.49    | 25-34            |
| ‘F’- Fail          | 0.-0.49     | 0-24             |

For determining good academic record, a candidate should either have average of 55% marks in two of the three examinations (not below Matric or equivalent) prior to Master’s degree or 50% marks in each of these two examinations separately. The following relaxation will, however, operate:

|                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Candidates having 55% or above marks in MA/M.Sc./LLM in the relevant subject/M.Com/M.Ed and possessing Ph.D. Degree candidates having 55% or above marks in M.A./M.Sc./LLM in the relevant subject/M.Com/M.Ed and possessing M.Phil Degree<br>OR<br>Candidates obtaining first class First in the University in the relevant subject in MA/M.Sc./LLM | The criteria of good academic record will not apply at all.<br><br>Should have 50% marks in one of the lower Exams i.e. B.Ed./B.A./B.Sc./ B.Com. Final/Prep/10+2/Matric<br><br>----- Do ----- |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NOTE: B.Ed. B.Lib. & Inf. Science, LL.B. and BJMC are the lower examinations for determining Good Academic Record wherever M.Ed., M.Lib. & Inf. Science, LL.M. and MJMC are the required essential qualifications respectively.

Desirable: A M.Phil/Ph.D. degree in Library Science/Information Science/ Documentation/Archives and Manuscript-keeping.  
Note: The applicants are required to fill up “Academic Performance Indicators based on Performance Based Appraisal System” to be submitted by each applicant for appointment of teacher and other academic staff.”

The UGC Regulations 2010 also prescribes the same eligibility criteria for the post of Librarian. The UGC Regulations issued in the year 2018 reduced the experience to 10 years but these Regulations were issued after the last date of submission of the application forms in response to the impugned advertisement. The criteria which has been notified at the time of the last date of the submission of the application form would be the criteria which would be applicable. This criteria was also in terms of the UGC

guidelines of 2010. Therefore, I do not find any merit in the submissions of the learned counsel for the petitioner that the criteria as laid down in the UGC Regulations in the year 2018 should have been applicable to the impugned advertisement. The eligibility of the candidates would be determined at the time of the last date of the submission of the application form which has also been held by the Supreme Court in the case of **State of Bihar and others Vs. Madhu Kant Ranjan and another**, reported as **2022 AIR (Supreme Court) 1310**.

Consequently, I do not find any merit in this petition which stands dismissed.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**27.09.2022**  
SwarnjitS

|                           |   |          |
|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |