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

CWP-23792-2013

Date of decision : 22.09.2022

Satnam Singh and another

... Petitioners

Versus

Punjab State Power Corporation Limited and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. H.C. Arora, Advocate for the petitioners.

Ms. Malvika Singh, Advocate for the respondents.

Anupinder Singh Grewal, J. (Oral)

The petitioners have challenged the advertisement issued by the respondents on 10.05.2012 (Annexure P-5) whereby the applications have been invited for the post of Assistant Engineer in various disciplines.

Learned counsel for the petitioners submits that the petitioners, who are the diploma-holders in Electrical Engineering, have been working as Junior Engineers (Electrical) in the respondent/Corporation since 30.04.1999 and therefore, are eligible for appointment to the post of Assistant Engineer (Electrical) in terms of Regulation 9 of the Punjab State Electricity Board Service of Engineers (Electrical) Recruitment Regulations, 1965, (for short, 'the 1965 Regulations') wherein it is stipulated that 3/4 year diploma in Engineering in their respective discipline with minimum 12 years qualifying service as Technical Subordinate with satisfactory service record is to be included/treated as qualifying criteria. The action of the respondents for having

the qualification of degree in Electrical Engineering as a pre-requisite for appointment to the post of Assistant Engineer (Electrical) is arbitrary and discriminatory.

Learned counsel for the respondents submits that the challenge to the same advertisement dated 10.05.2012 (Annexure P-5) had been dismissed by this Court in the case of **Lakhwinder Singh versus Punjab State Power Corporation Ltd. and another** bearing CWP No.27297 of 2013, decided on 08.10.2018. She, while referring to the written statement filed by the respondents, submits that Regulation 9 of the 1965 Regulations was amended vide circular No.25 of 2011 dated 01.12.2011 and the criteria of “3/4 year diploma in Engineering in their respective discipline with minimum 12 years qualifying service as Technical Subordinate with satisfactory service record” was omitted and the requisite qualification for the post of Assistant Engineer (Electrical) had been prescribed as full time regular B.E./B.Tech./B.Sc. Engineering with a minimum of 60% marks or equivalent degree recognized by the AICTE or AMIE with 60% marks from Institution of Engineers (India) Calcutta in the discipline of Electrical Engineering. She has furnished a copy of the amendment dated 01.12.2011 in Court which is taken on record.

Heard.

The petitioners are the diploma-holders and are stated to have been working as Junior Engineers with the respondent/Corporation since 1999. The respondents, by the impugned advertisement (Annexure P-5), had prescribed the qualification of Assistant Engineer (Electrical) as B.E./B.Tech./B.Sc. in Engineering or equivalent degree recognized by the AICTE or AMIE with a minimum of 60% marks from Institution of Engineers (India) Calcutta in the

discipline of Electrical Engineering. The qualification which has been set out in the advertisement is reproduced hereunder:-

“Full time regular BE/B.Tech./B.Sc. Engineering with a minimum of 60% marks or equivalent degree recognized by the AICTE or AMIE with 60% marks from Institution of Engineers (India) Calcutta in the discipline of Electrical Engineering.”

Vide the impugned advertisement, the posts of Assistant Engineers in various disciplines are to be filled up through direct recruitment. The qualification has been prescribed on the basis of Regulation 9 of the 1965 Regulations, which has been amended on 01.12.2011, wherein the degree in Electrical Engineering has been prescribed as an essential qualification.

Therefore, I do not find any infirmity in the action of the respondents in prescribing the qualification of degree in Electrical Engineering to be an essential qualification for filling up the post of Assistant Engineer (Electrical) through direct recruitment.

Consequently, the petition, being devoid of merit, stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

September 22, 2022

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