

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 18691 of 2014

Date of Decision: 05.01.2023

Rekha Verma and Another

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Surmukh Singh, Advocate
for the petitioner(s).

Mr. R.K.Kapoor, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioners pray for the issuance of a writ in the nature of certiorari to quash the memo dated 23.09.2010 which has been conveyed to them vide memo dated 15.07.2011. At present, the petitioners are working as the Junior Scale Stenographers. They have been promoted as the Junior Scale Stenographers from the post of a Steno-Typist. The respondents are insisting that the petitioners should pass a qualifying test in the English Stenography apart from the Punjabi Stenography test. The petitioners claim that they cannot be forced to pass the English Stenography test.

2. On the other hand, while filing the reply, the State has taken a stand that the petitioners have been promoted as per the instructions issued by the Government of Punjab, Department of General Administration (Secretariat Establishment-II Branch) dated 23.12.1995 which reads as under:-

“(B) Junior Stenographer:- They will be appointed either through the Subordinate Services Selection Board, or by

promotion from amongst the regular Steno Typist of the Punjab Civil Secretariat who have served as such for a period of at least one year. Persons appointed by promotion, shall have to pass a qualifying test, which will consist of three paras (two in Punjabi and one in English). The two paras in Punjabi of about 250 words each containing 500 words in all, will be dictated at a speed of 100 words per minute and the candidates will be required to transcribe the dictated passages (at typewriter) at the speed of 20 words per minute. Those who commit not more than 8 percent mistakes in the aggregate will be considered to have qualified the test in Punjabi.”

3. It is evident from the reading of the aforesaid instructions that the persons appointed on promotion to the post of Junior Scale Stenographers shall have to pass a qualifying test which consists of three paras (2 in Punjabi and one in English).

4. The learned counsel representing the petitioners submits that there is no provision in the service rules to compel the petitioners to pass the English Stenography test. On a Court question, he submits that with regard to promotion from the post of Steno-typist to that of the Junior Scale Stenographers, there are no service rules. In such circumstances, the Government can issue instructions in order to regulate its working.

5. Keeping in view the aforesaid facts, no ground is made out to issue a writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 05, 2023

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No