

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CWP No. 6621 of 2018 (O&M)
Date of Decision : 06.02.2024

Anita Rani Yadav

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Madan Pal, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that she has wrongly been declared as an ineligible candidate so as to compete for the post of Supervisor (Female) as advertised vide Advertisement No. 7/2016 dated 30.12.2016 (Annexure P-1).
2. Learned counsel for the petitioner submits that the respondent-department issued an Advertisement No. 7/2016 dated 30.12.2016 advertising 126 posts of Supervisor (Female) under Category No. 18. As per the essential qualification prescribed in the Advertisement for the post in question, a candidate claiming eligibility must possess (i) matriculation certificate, (ii) 10 years experience as Anganwari Worker in the integrated Child Development Services Scheme. Learned counsel for the petitioner submits that the petitioner applied for the post in question and submitted experience certificate

issued to the petitioner along with the application form, a copy of which has been annexed as Annexure P-7. Learned counsel for the petitioner submits that keeping in view the said documents, which were attached along with the application form, the petitioner was entitled to be declared eligible candidate so as to compete for the post in question but the petitioner has been declared to be ineligible for the post in question and that too without any valid justification.

3. Learned counsel for the respondents on the other hand submits that keeping in view the application form of the petitioner, she was allowed to compete for the post in question but at the time of scrutiny of documents, it came to the knowledge of the respondent-department that the petitioner did not had 10 years experience as Anganwari worker keeping in view the experience certificate dated 11.04.2011, which was attached along with the application form, hence, as the petitioner did not fulfill the prescribed eligibility conditions, the petitioner has rightly been declared ineligible for the post in question.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It may be noticed that the eligibility qualifications for the post of Supervisor (Female) were prescribed in the Advertisement itself, which are as under :-

“Cat. No. 18 126 posts of Supervisor (Female) (Re-Advertised).

(GEN=34, BCA=18, BCB=10, EBPGB=14, ESM-GEN=10, ESM-SC=3, ESM-BCA=4,

OSP-GEN=1, OS:P-SC=2, OSP-SC=2, OSP-BCA=2, OSP-BCB=2) PHC-LV=3.

- i) Matriculate from a recognized Board.*
- ii) 11 months training as Bal Sevika.*
- iii) Eight years experience as Bal Sevika or Anganwadi workers in integrated Child Development Services Scheme or both.*
- iv) Knowledge of Hindi/Sanskrit upto Matric Standard or Higher Education.*

OR

- i) Matriculate from a recognized Board.*
- ii) 10 years experience as Anganwadi workers in integrated Child Development Services Scheme.*
- iv) Knowledge of Hindi/Sanskrit upto Matric Standard or Higher Education.”*

6. A bare perusal of the essential qualifications would show that a candidate should be a matriculate and must have 10 years experience as Anganwadi worker and also should have knowledge of Hindi/Sanskrit upto Matric standard or higher education. The petitioner claimed eligibility under the said Clause.

7. It is a conceded position that qua the required experience of 10 years as Anganwari worker, which was an essential condition, the petitioner had appended experience certificate dated 11.04.2011. A bare perusal of the said certificate would show that the same was issued for period starting from 29.11.2001 till 11.04.2011, which is less than 10 years, whereas as per prescribed essential qualifications, 10 years experience as Anganwari worker was required.

8. At this stage, learned counsel for the petitioner submits that though, no other experience certificate was attached by her along with the application form but later on, the petitioner also got another certificate on 31.01.2017, which was also brought to the notice of the department at the time of the scrutiny of documents by submitting a representation, hence, the said experience certificate should have also been taken into consideration so as to adjudge the eligibility of the petitioner to compete for the post in question.

9. It may be noticed that as per the terms and conditions of the Advertisement, all the documents to prove the eligibility are to be attached by a candidate along with the application form and all those documents so attached while filling application online, should also be produced at the time of scrutiny of documents so as to adjudge the eligibility of the candidate concerned.

10. Once, it is a conceded position that the petitioner attached a particular experience certificate along with the application form to claim eligibility to the post in question and concededly as per the said experience certificate, the petitioner does not have 10 years experience as Anganwari worker, it cannot be said that the respondents were in any way wrong to treat the petitioner ineligible for the post in question.

11. Qua the argument of the learned counsel for the petitioner that the petitioner had later on submitted another certificate on 31.01.2017 and it should have been considered by the respondents to adjudge the eligibility of the petitioner, it may be noticed that the same has rightly been not taken into consideration as the said certificate was not part of the application form and

any document not attached with the application form, could not have been taken into account to adjudge the eligibility of the petitioner as per the terms and conditions of Advertisement, which are sacrosanct.

12. Keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

13. Dismissed.

Civil miscellaneous application pending, if any, is also disposed of.

February 6nd, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No