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

**CWP-23470-2024
Date of Decision:16.09.2024**

RAM MEHAR AND OTHERS Petitioners

Versus

UNION TERRITORY CHANDIGARH AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Munish Dev Sharma, Advocate
for the petitioners.

Mr. Aman Bahri, Advocate with
Ms. Sukhmani Patwalia, Advocate
for the respondents-U.T. Chandigarh.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of first and second list dated 25.06.2024 (Annexure P-6) and 06.09.2024 (Annexure P-12) with respect to advertisement No.6/2023 dated 16.01.2024 (Annexure P-5) for the post of ESM/JBT.

2. The petitioners pursuant to an advertisement issued by respondent applied for the post of Junior Basic Teacher ('JBT'). The petitioners appeared in the written test. Their candidature has been rejected on the ground that they have not obtained 2 years 'D.El.Ed.'



from NCTE recognized institute.

3. Mr. Munish Dev Sharma, Advocate for the petitioners submits that petitioners have obtained diploma in teaching from AEC Training College & Centre, Pachmarhi (M.P), an autonomous College of Doctor Hari Singh Gour Vishwavidyalaya Sagar. The diploma held by petitioners is equivalent to diploma or certificate required for the appointment of primary school teachers.

4. Mr. Aman Bahri, Advocate who on advance notice is present in Court submits that under the Chairmanship of Director School Education, Chandigarh Administration, a meeting was held on 29.08.2024 wherein considering different judgments of different courts, it was concluded that 2 years diploma in 'Special Education' or 4 years bachelor of elementary education is not as per eligibility qualification mentioned in the advertisement No.6/2023 for the post of JBT teacher as well as Chandigarh Education Service (School Cadre) (Group-C) Recruitment Rules, 1991. The Committee has further unanimously opined that JBT diploma (AEC Training College & Centre, Pachmarhi)/Naval Trade Certificate is not equivalent to requisite qualification. The petitioners are holding diploma from AEC Training College & Centre, Pachmarhi (M.P), thus, they are not qualified for the advertised post.

5. The petitioners have not challenged decision of Committee and as per advertisement, the requisite qualification is diploma in elementary education (D.El.ED.) of not less than 2 years duration recognized by NCTE. The petitioners are not having diploma in elementary education recognized by NCTE.



6. This Court cannot order to consider a candidate having equivalent degree. The respondent has notified specific course/diploma/certificate as requisite qualification. The petitioners are not concededly possessing qualification requisitioned by advertisement.

7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

16.09.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>