

**CWP-13010-2019(O&M)****-1-****244 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH************CWP-13010-2019 (O&M)
Date of Decision: 24.07.2025**

Manju Rani

...Petitioner

Vs.

State of Haryana and Ors.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Prashant Singh, Advocate with
Ms. Srishty Jaura, Advocate,
Mr. Amar Gahlot, Advocate and
Mr. Nalin Bajaj, Advocate for the petitioner

Mr. Shashank Bhandari, Addl. A.G. Haryana with
Mr. Suneel Ranga, DAG, Haryana

Mr. Inderpal Singh Advocate for
Mr. Nitin Kaushal, Advocate for respondent No.4

*********JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent to grant marks for Post Graduate Degree in Computer Application.

2. The petitioner pursuant to advertisement No.3/2018 dated 16.04.2018 applied for the post of Sub Inspector (Female). In the said advertisement, 29 posts were earmarked for General category and 5 posts for BC-B category. The petitioner belongs to BC-B category. She participated in the selection process, however, could not be finally selected because she could not achieve cut off marks.



3. Learned counsel for the petitioner submits that as per advertisement there were 3 additional marks for Post Graduate Degree. The petitioner is possessing Masters Degree in Computer Applications (for short 'MCA'), thus, she was entitled to additional 3 marks. On the directions of this Court, the Director General, Directorate of Technical Education, Haryana vide memo No.231 dated 04.03.2025 intimated that equivalency meeting was held on 14.01.2025 and it was opined by the Committee that if M.Sc Additional (Computer Science) is considered higher qualification for granting additional marks then MCA can be considered as equivalent for the said purpose. The opinion of the said authority supports case of the petitioner that the Masters Degree in Computer Applications should be treated equivalent to Computer Engineering/Science.

4. *Per contra* learned State counsel submits that in the advertisement, it was specifically provided that graduation degree should be of four years or more after 10+2, whereas Bachelors Degree in Computer Applications is of three years after 10+2, thus, there was no question to accept Masters Degree of Computer Applications. If Bachelors Degree in Computer Applications is not acceptable, there is no question to recognize Masters Degree in Computer Applications because in the advertisement, it is categorically mentioned that Masters and Bachelor Degrees of the same stream are recognized. In the advertisement, it was also mentioned that Post Graduate Degree in any stream other than ones mentioned in the advertisement shall get no extra



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marks.

5. I have heard learned counsel for the parties and perused the record of the case.

6. The controversy revolves around reading of paragraph of the advertisement dealing with additional qualification. The said paragraph is reproduced as below:-

“Additional qualification: (10% weightage):-

(a) All candidates who have qualified the Physical Measurement Test shall be called for scrutiny of documents. All other candidates shall stand eliminated from further process of selection.

*(b) i) **For Constable:-** Education (maximum 07 marks): Candidate with higher education i.e. with Graduate degree in any stream from a recognised University shall get four (04) marks: while, candidate with Post Graduate degree in any stream from a recognised University shall get additional three (03) marks.*

*ii) **For Sub-Inspector:-** Education (maximum 07 marks): 04 Marks for the candidate with higher education i.e. a Graduation degree in Law, Computer Engineering/Science, Forensic Medicine, Forensic Science, Police Science and Criminology (which-take 04 or more years after 10+2 to get a specialized degree issued from a recognized university and additional three (03) marks for a Post Graduate degree in any of the aforementioned streams issued from a recognized university.*

Candidates with a Post Graduate degree in



any stream other than the ones mentioned above shall get no extra marks. However, the candidates having a degree over and above their Post Graduation e.g. M. Phil or Ph. D in streams other than the ones mentioned above will get additional three (03) marks.

(c) NCC Certificate (maximum 03 marks): Candidate having NCC certificate of A, B or C level shall get 01, 02 and 03 marks respectively (for both constables and Sub-Inspector)."

From the perusal of above paragraph, it is evident that additional marks are available for Graduation degree in Law, Computer Engineering/Science, Forensic Medicine, Forensic Science, Police Science and Criminology. It has been further underscored that graduation degree must of 4 or more years after 10+2. The Bachelor of Computer Applications is of three years after 10+2. Three marks are earmarked for Post Graduate Degree in any of the streams for which 4 marks of graduation are prescribed. Meaning thereby, Post Graduation must also be of the streams mentioned in the advertisement. The Bachelors Degree in Computer Applications is of three years after 10+2, whereas in the advertisement it is categorically mentioned that graduation degree should be of 4 or more years after 10+2. It is well known that Degree in Law and Engineering are of four or more years after 10+2. The recruitment agency has specifically prescribed nature of graduation. Normally bachelors degree is of three years after 10+2 but recruitment agency has recognized only those degrees which are of 4 or more years after 10+2. These are specialized degrees. In the advertisement, it is further



specifically provided that post graduate degree in any stream other than ones mentioned above shall get no extra mark. If Degree of Bachelors of Computer Applications is not recognized for marks, Post Graduation Degree cannot be recognized.

7. The petitioner is claiming benefit on the principle of equivalence. The Director General, Directorate of Technical Education, Haryana has opined that Masters of Computer Application may be considered equivalent to M.Sc. Additional (Computer Science). The opinion of the Director General, Directorate of Technical Education, Haryana is reproduced as below:-

*“Subject: Status report in CWP No. 13010 of 2019
Manju Rani Vs. State of Haryana and others.*

Kindly refer to the subject cited above.

In this regard, It is intimated that an Equivalency Meeting was held on 14.01.2025 in compliance to Hon'ble High Court orders dated 12.11.2024 of CWP No. 13010 of 2019 Manju Rani Vs. State of Haryana and others. After the detailed deliberation/ discussion and going through the notification Issued by Director Higher Education Haryana (copy enclosed). The committee is of the opinion that if M.SC. Additional (Computer Science) is considered Higher Qualification for granting additional marks then Master of Computer Application (MCA) can be considered as equivalent for the Same purpose. It is requested to apprise the above said matter to the Hon'ble Court on the next date of hearing i.e. 12.03.2025”

8. In view of the above opinion, Masters of Computer Application may be considered equivalent M.Sc. Additional (Computer

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Science), however advertisement specifically provides that Post Graduate Degree in any stream other than mentioned shall not get extra marks.

9. This Court has no power to order for marks of equivalent degree. The principle of equivalence cannot be applied by this Court. It is the recruitment agency which prescribes qualification. If recruitment agency has categorically prescribed that equivalent degree would not be recognized, this Court cannot ask recruitment agency to act contrary to advertisement. Advertisement is a sacrosanct document. The Court cannot ask respondent to travel beyond or contrary to said document.

10. In the wake of above factual position and findings, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

11. Pending application(s), if any stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.07.2025*Deepak DPA*

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No