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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Decided on: 19.03.2025

+ W.P.(C) 2161/2025 & CM APPLs. 10159/2025, 15828/2025

SONU KUMAR & ANR.

.....Petitioners

Through: Mr. Prakash Khandelwal,
Advocate.

versus

SECRETARY GENERAL LOK SABHA
SECRETARIAT

.....Respondent

Through: Mr. Pramod Gupta, Ms. Deepakshi
Bhalla, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

PRATEEK JALAN, J. (ORAL)

1. The petitioners were appointed to the post of Printer in the respondent- Lok Sabha Secretariat, in the year 2014. They have filed this writ petition seeking a direction upon the respondent- Lok Sabha Secretariat to upgrade the post of Printer [Grade Pay- Rs.2800] to the post of Lithographic Operator [Grade Pay- Rs.4200] w.e.f. 01.01.2016. They claim parity with the post of Proof Reader.
2. It may be noted that the petitioners were promoted to the post of Lithographic Operator on 23.09.2019, but seek upgradation of their original post w.e.f. 01.01.2016.
3. I have heard Mr. Prakash Khandelwal, learned counsel for the



petitioners, and Mr. Pramod Gupta, learned counsel for the respondent.

4. The genesis of the petitioners' grievance arises from a report of the Parliamentary Pay Committee ["PPC"] dated 19.12.2018, by which the post of Junior Proof Reader [Grade Pay - Rs.2800] was merged with Proof Reader [Grade Pay - Rs.4200], but a similar proposal in respect of the post of Printer was rejected.

5. The petitioners have placed on record an Organization Chart of the Printing and Publication Service of the Lok Sabha Secretariat, which compares the position, as it existed prior to the said PPC report, with the position, existing after the said report.

6. Prior to the PPC report, the post of Printer [Grade Pay - Rs.2800] was a feeder post for promotion as Lithographic Operator [Grade Pay-Rs.4200]. Corresponding to these positions were the positions of Junior Proof Reader [Grade Pay-Rs.2800] and Proof Reader [Grade Pay-Rs.4200]. The position of Printing Assistant [Grade Pay-Rs.4600] was a promotional post, for which both Lithographic Operators and Proof Readers were eligible.

7. The PPC was constituted by the Presiding Officers of the two Houses of Parliament. Its report was accepted by an order of the respondent-Lok Sabha Secretariat dated 21.02.2019, subject to certain modifications. For the present purposes, as noted above, the post of Junior Proof Reader was merged with the post of Proof Reader.

8. The question of upgradation of the post of Printer to Lithographic Operator was also considered by the PPC, but rejected with the following observations:

“(f) Upgradation of the posts of Printer in Grade Pay of Rs.2800 to Grade Pay of Rs.4200 and merger with the posts of Lithographic Operator in Grade Pay Rs.4200



The Committee note that the post of Lithographic Operator is filled up by promotion from persons in the grade of Printer with a minimum of 05 years service in the grade and the post of Printer filled up by direct recruitment through open competitive examination from amongst the candidates possessing Diploma in Printing Technology or Bachelor's Degree in any discipline with 03 years experience or intermediate with 05 years experience. The Committee, thus, find that Intermediates are also eligible for the post. Keeping in view the educational qualifications prescribed for the post, the Committee do not favour upgradation of the post of Printer from Grade Pay of Rs.2800 to Rs.4200."¹

9. The petitioners claim that resultantly, the erstwhile post of Junior Proof Reader, which was corresponding with that of Printer, now attracts a Grade Pay of Rs.4200, whereas Printer remains at Rs.2800.

10. The petitioners made a representation to the respondent-Lok Sabha Secretariat in this regard on 19.10.2020. As the representation failed to elicit a response, they filed W.P.(C) 13468/2024 before this Court. The writ petition was disposed of 25.09.2024, accepting the submission of the respondent-Lok Sabha Secretariat, that the representation would be decided within six weeks.

11. By a memorandum dated 25.10.2024, the aforesaid representation was rejected with the following observations:

"The Parliamentary Pay Committee vide SI No. 82-I (f), find that the post of Lithographic Operator is filled up by promotion from persons in the grade of Printer with a minimum of 05 years service in the grade and the post of Printer is filled up by direct recruitment through open competitive examination from amongst the candidates possessing Diploma in Printing Technology or Bachelor's Degree in any discipline with 03 years experience or intermediate with 05 years experience.

The Committee, thus, find that intermediates are also eligible for the post. Keeping in view that education qualifications prescribed for the post, the

¹ Emphasis supplied.



Committee did not favour upgradation of the post of Printer from Grade Pay of Rs.2800 to Rs.4200.”

12. The services of the employees in the Lok Sabha Secretariat are governed by the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules [“Rules”], framed in the year 1955 by the President of India, in consultation with the Speaker of the Lok Sabha, who has been conferred with administrative and functional independence in the administration of the Lok Sabha. The Parliamentary Pay Committee is constituted to advise the Presiding Officers of both Houses of the Parliament with regard to the structure of the organization scale of pay, allowances, and other benefits, to all categories of employees in the two Secretariats.

13. The PPC has not accepted the equivalence of the post of Printer with that of Junior Proof Reader, as claimed by the petitioners, on the ground that Intermediates are also eligible for the post of Printer. As highlighted in the order of this Court dated 19.02.2025, while issuing notice in the present writ petition, the submission of Mr. Khandelwal is that this rationale is misconceived, as the minimum qualification for Junior Proof Reader does not require any educational qualification at all, but only five years of relevant experience.

14. The “Methods of Recruitment and Qualifications for Appointment”, as prescribed in the Service Rules for both the posts, are set out below:

“Printer:

By selection through open Competitive Examination from amongst the candidates possessing the following qualification/experience:

- (i) Diploma in Printing Technology of 03 years duration recognized by AICTE*
or



(ii) Bachelor's degree in any discipline from a recognized University with 03 years' experience in hand composing in English & Hindi, Operation of Letterpress, Offset and Screen Printing Machines in Central/State Government/State Legislature Secretariats/Central/State Public Sector Undertakings/Autonomous bodies/Industries/Establishment coming under the purview of Factories Act, 1948, as amended/Employees' Provident Fund and Miscellaneous Provisions Act, 1952, as amended.

or

(iii) Intermediate (Class XII) from a recognized Board with 05 years' experience in hand composing in English & Hindi, operation of Letterpress, Offset and Screen Printing Machines in Central/State Government/State Legislature Secretariats/Central/State Public Sector Undertakings/Autonomous bodies/Industries/Establishment coming under the purview of Factories Act, 1948, as amended/Employees' Provident Fund and Miscellaneous Provisions Act, 1952, as amended.

Note: The candidates having qualification prescribed in (i) above shall be considered in the first round of selection from those who have secured the prescribed minimum cut off marks. If sufficient number of candidates could not be selected in the first round, the candidates with qualification as prescribed in (ii) above shall be considered for selection in the second round. If still sufficient number of candidates could not be selected in the second round, the candidates with qualification as prescribed as (iii) above shall be considered for selection in the third round.

Junior Proof Reader:

By selection through Open Competitive Examination from amongst the candidates possessing the following qualifications and experience:

(i) Bachelor's degree in any discipline.

(ii) Diploma in Printing Technology or P.G. Diploma in Book Publishing from any Institute approved by AICTE* (OR) 5 years work experience as Copy Holder in English and Hindi in a Printing Press coming under the purview of Factories Act, 1948 as amended.

Desirable:

Certificate in computer course recognised by AICTE/DOEACC² or courses equivalent to 'O' Level in terms of syllabus and duration of course as prescribed by DOEACC.”²*

15. Mr. Khandelwal's submission, with regard to the minimum qualification for the post of Junior Proof Reader, is based upon an

² Emphasis supplied.



interpretation of the above qualification, which suggests that each of the qualifications mentioned therein are in the alternative, i.e., the candidate would be eligible if he/she possesses either a Bachelor's degree in any discipline, or a Diploma in Printing Technology, or a Postgraduate Diploma in Book Publishing from any institute approved by All India Council for Technical Education ["AICTE"], or has five years' experience as a copy holder in English and Hindi in Printing Press.

16. Mr. Gupta, however, relying upon the affidavit dated 12.03.2025 filed by the respondent, submits that the qualification of a Bachelor's degree in clause (i) applies to all candidates, and only the additional qualifications prescribed under clause (ii), i.e. diploma, or postgraduate diploma, or five years' experience, are in the alternative to each other. To elaborate, he submits that the candidate must hold a Bachelor's degree, and in addition, must hold either a diploma or a postgraduate diploma or have five years' experience. The minimum educational qualification for the post of Junior Proof Reader is, thus, a Bachelor's degree.

17. Mr. Gupta draws my attention to paragraph 14 of the said affidavit, which reads as follows:

"14. That from perusal of essential qualifications as has been detailed hereinabove, it is clear that qualification of 'Bachelor's degree in any discipline' is the minimum educational qualification for the post of Jr. Proof Reader and technical qualification of 'Diploma in Printing Technology' or 'P.G. Diploma in Book Publishing' or '5 years experience as Copy Holder in English and Hindi in a Printing Press' is in addition to the minimum educational qualification of Bachelors degree. Thus, a candidate without graduation, merely on the basis of '5 years experience as Copy Holder' would not be eligible for the post of Jr. Proof Reader, as has been contended by Petitioner before this Hon'ble Court on 19.02.2025. It is further submitted on behalf of Respondent that the minimum qualification for the post of Proof Reader and Jr. Proof Reader has always been graduation and the



interpretation placed upon the said rule by Petitioner as noticed in Para 5 of Order dated 19.02.2025, is incorrect.”³

18. Having heard learned counsel for the parties, I am of the view that the interpretation propounded by the respondent cannot be termed as arbitrary or unreasonable, so as to invite the interference of the Court in writ proceedings. The affidavit of the respondent clearly states that a Bachelor’s degree is the minimum academic qualification for the post of Junior Proof Reader, and the other prescribed technical qualifications have been regarded as additional to the said degree. The technical qualifications are in the alternative *inter-se*, but not in the alternative to the academic qualification prescribed. In contrast, the post of Printer is open to candidates, who possess any of the qualifications mentioned in Clauses (i), (ii) and (iii), in the alternative. The last of these is an Intermediate [Class-12] qualification from a recognized Board with five years’ experience. The academic qualification for the post of Printer is, thus, lower than the academic qualification for the post of Junior Proof Reader, and the respondent’s unequal treatment of the two is, therefore, justifiable.

19. Mr. Khandelwal drew my attention to the “Note” below the qualifications for the post of Printer, which provides that diploma holders in printing technology will be considered in preference to Bachelor’s degree holders with three years’ experience, and both these categories will be considered in preference to Intermediate candidates with five years’ experience. The Note, in my view, establishes the priority in which candidates would be selected, but does not detract from the position that Intermediates are also qualified under the Rules, to apply for the post of

³ Emphasis supplied.



Printer.

20. The judgments of the Supreme Court, indicate that the role of the writ Court in such matters is confined to interference only in cases of *ex-facie* irrationality or arbitrariness. The following observation in *Union of India v. Dineshan K.K.*⁴ are relevant in this regard:

“13.....It has been observed that equation of posts and equation of pay structure being complex matters are generally left to the executive and expert bodies like the Pay Commission, etc..... Undoubtedly, when there is no dispute with regard to the qualifications, duties and responsibilities of the persons holding identical posts or ranks but they are treated differently merely because they belong to different departments or the basis for classification of posts is ex facie irrational, arbitrary or unjust, it is open to the court to intervene.”

21. In these circumstances, I do not find any irrationality or arbitrariness in the view taken by the respondent in the present case. There is, therefore, no ground to interfere with the report of the PPC, which was accepted by the respondent, and with the rejection of the petitioners’ representation.

22. The writ petition, alongwith the pending application, is, therefore, dismissed. There shall be no orders as to costs.

PRATEEK JALAN, J

MARCH 19, 2025/uk/sd/

⁴ (2008) 1 SCC 586.