

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8647 of 2025

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Anand Verma son of Shambhu Prasad Verma, r/o Kali Bajar Hilsa, P.S. Hilsa
and District-Nalanda, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Labour Resources Department, Government of Bihar, Patna.
2. The Secretary, Labour Resources Department, Government of Bihar, Patna.
3. The Labour Commissioner, Labour Resources Department, Government of Bihar, Patna.
4. The Director, Employment and Training, Labour Resources Department, Government of Bihar, Patna.
5. The Bihar Technical Service Commission through the Secretary, 19 Harding Road, Patna-800001.
6. The Chairman, Bihar Technical Service Commission through the Secretary, 19 Harding Road, Patna-800001.
7. The Secretary, Bihar Technical Service Commission through the Secretary, 19 Harding Road, Patna-800001.
8. The Controller of Examination, Bihar Technical Service Commission through the Secretary, 19 Harding Road, Patna-800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandra Kant, Advocate Mr. Subhash Kr. Tiwary, Adv. Mr. Navin Kumar, Adv. Ms. Karnika, Adv. Ms. Sristi Kumari, Adv. Mr. Sudhanshu Prakash, Adv.
For the State	:	Mr. Manoj Kumar Sinha, AC to Ex-GA-9
For the B.T.S.C.	:	Mr. Nikesh Kumar, Advocate Mr. Praveen Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-04-2026 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the Bihar

Technical Service Commission (hereinafter referred to as

‘Commission’).

2. Learned counsel for the petitioner submits that



the petitioner has filed a rejoinder to the counter affidavit through online mode. He further submits that, due to paucity of time, he could not file the hard copy of the same before the Registry and seeks permission for the same to be accepted in Court.

3. Permission, as prayed for, is granted.

4. Learned counsel for the petitioner submits that the present writ petition has been filed for the following reliefs:-

I. For issuance of an order, direction or a writ of mandamus for directing the respondent Bihar Technical Service Commission to consider the candidature of the petitioner for appointment to the post of Trade Workshop Instructor (Engineering Drawing/ Calculation and Science) against advertisement number 52/2023 issued on 14.09.2023 by the respondent Commission.

II. For issuance of an order, direction or a writ of mandamus for direction the respondents to appoint the petitioner to the post of Trade Instructor after granting petitioner 30 marks grace,



as per the rules and appoint the petitioner along with all consequential benefits including the continuity of service seniority etc.

III. For issuance of an order, direction or an appropriate for directing the respondent authorities to keep one seat vacant in the general category against advertisement number 52/2023 dated 14.09.2023 during the pendency of the present writ application.

5. Learned counsel for the petitioner further submits that the CITS certificate issued to the petitioner has not been considered, despite the fact that the petitioner secured marks higher than the cut-off, however, his selection has not been made. He submits that, as per the advertisement, a one-year Craft Instructor Training Scheme (CITS) certificate is required, which the petitioner has already annexed as Annexure P/2 series, but the same has not been considered by the Commission, resulting in non-selection of the petitioner.

6. Counsel further submits that, in reply to the counter-affidavit, a rejoinder has been filed wherein a communication issued by MSDE (DGT)-19/07/2020-CD



E(34744), Government of India, dated 30.06.2023, has been annexed, in which the eligibility qualifications for the category of Trade Instructor have been specified. He submits that the said guidelines issued by the Government of India are applicable to the case of the petitioner.

7. He further submits that, in Column 55, i.e., “Reading of Drawing and Arithmetic”, all engineering group of trades are covered. It is also submitted that the CTS-CITS mapping list, contained in Annexure-1 of the said Office Memorandum, has been completely ignored by the Commission.

8. Accordingly, it is submitted that the said memorandum ought to be given due consideration and the CITS certificate of the petitioner be directed to be accepted, so that the name of the petitioner may be included in the final select list of candidates prepared by the Commission.

9. Learned counsel for the Commission, on the other hand, submits that Clauses 1 and 3 of the Advertisement (Annexure-1) are clear and indicative of the fact that only those candidates who possess a CITS certificate in the concerned and relevant trade are entitled to



the benefit of the said 30% marks on the basis of such certificate.

10. He further submits that, upon perusal of Annexure P/2, the trade certificate issued to the petitioner indicates that the petitioner possesses a CITS certificate in Electrician & Wireman trades, which were relevant for Advertisement No. 46 of 2023 and not for the present Advertisement No. 52 of 2023.

11. Counsel further submits that, as per Annexure-1 to Advertisement No. 52 of 2023, the trade certificates in Engineering Drawing and Workshop Calculation and Science are the relevant qualifications

12. In this background, it is submitted that the petitioner is not entitled to any relief.

13. Upon going through the pleadings, it transpires to this Court that the petitioner has secured 45.9114 marks, whereas the cut-off marks for the BC category are 50.9583. However, due to non-consideration of the proper CITS certificate, the benefit of 30% marks on account of the CITS qualification has not been granted to the petitioner,



and for this reason, the petitioner could not be selected.

14. It also transpires to this Court from Annexure P/2 that the trade of the petitioner is Electrician & Wireman, whereas the post under Advertisement No. 52 of 2023 pertains to Engineering Drawing/Workshop Calculation and Science.

15. In the rejoinder to the counter-affidavit filed by the petitioner, this Court notes that the letter of the Directorate General of Training (DGT), Government of India, vide letter No. MSDE (DGT)-02/01/(03)/2019-CD, dated 11.11.2019, is applicable but from Annexure-1 of the Office Memorandum (Annexure-P11 to the rejoinder to the counter affidavit), which indicates the names of CITS trades and applicable CTS trades, the Column No. 55, i.e., “Reading of Drawing and Arithmetic”, where the applicable CTS trade according to the petitioner is shown as “all Engineering group of trades” is not applicable in the present case as from the Advertisement the post is Engineering Drawing/Workshop Calculation and Science which is different from the Reading of Drawing and Arithmetic.



16. Similarly, upon perusal of Annexure P/2, this Court is of the firm view that the trade of the petitioner is Electrician and Wireman, whereas the requirement under Advertisement No. 52 of 2023 is Engineering Drawing/Workshop Calculation and Science, which are quite different.

17. In this background, this Court finds no case in favour of the petitioner, and accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J.)

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