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

+ **W.P.(C) 14551/2022 & CM APPL. 36778/2024**

MS. MAINA BISHNOI

.....Petitioner

Through: Mr. Durgesh Kumar Sharma,
Advocate.

versus

BUREAU OF INDIAN STANDARDS AND ANR.Respondents

Through: Mr. Sanjay Sarin, Advocate for R-1
and R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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19.03.2026

1. This writ petition assails memorandum dated 19th September, 2022, whereby the services of the Petitioner came to be terminated from the post of Senior Technician in the Bureau of Indian Standards/¹Respondent No. 1.
2. BIS issued Advertisement No. 01/2020/ESTT. dated 14th February, 2020, inviting applications for direct recruitment, *inter alia*, to the post of Senior Technician. Under the advertisement, one of the essential eligibility conditions for the post was 'two years' practical experience in the respective trade after having obtained the Industrial Training Institute Certificate or National Apprenticeship Certificate in the relevant trade.
3. Pursuant to the aforesaid advertisement, the Petitioner applied, was selected, and an appointment letter came to be issued in her favour. The

¹ "BIS"



appointment was expressly stipulated to be provisional in nature, subject to verification of character and antecedents, and the Petitioner was placed on probation for a period of two years.

4. Further, at the time of joining, the Petitioner furnished an attestation form containing an undertaking that furnishing false information or suppressing factual information would render the candidate unfit for employment.

5. In support of her candidature, the Petitioner submitted three experience certificates:

5.1. Certificate dated 28th October, 2017, issued by Rajaram Dharnia Hero, for the period from 1st August, 2016 to 30th September, 2017.

5.2. Certificate dated 23rd November, 2019, issued by ITI, Pokhran, Government of Rajasthan, for the period from 25th September, 2018 to 22nd November, 2019.

5.3. Certificate dated 20th January, 2021, issued by Jagtamba Industrial Training Institute, certifying her experience for the period from 3rd February, 2020 to 19th January, 2021.

6. Upon the Petitioner joining service, BIS undertook verification of the experience certificates and found the certificates purportedly issued by Rajaram Dharnia Hero and Jagtamba Industrial Training Institute to be forged and not genuine. The Works Manager of Rajaram Dharnia Hero stated that their letterhead had been misused and that the certificate dated 28th October, 2017, furnished by the Petitioner, had not been issued by them. He further stated that the Petitioner had never worked there during the claimed period. The certificate issued by Jagtamba Industrial Training Institute was also found to be partially false, as the Principal informed that



the Petitioner had worked there only for limited periods, from 3rd February, 2020 to 16th March, 2020 and from 21st September, 2020 to 19th January, 2021, and not continuously for the entire duration as claimed.

7. Consequent to this verification, BIS issued a show cause notice dated 8th June, 2022 to the Petitioner, identifying the certificates in question, referring to the verification findings, and calling upon her to explain why her services should not be terminated. The Petitioner submitted her reply; however, the same was found to be unsatisfactory. Thereafter, the impugned memorandum dated 19th September, 2022 came to be issued terminating her services.

8. Aggrieved by the aforesaid action, the Petitioner has approached this Court by way of the present writ petition, assailing the impugned memorandum.

9. This Court has, by judgment dated 9th March, 2026 in W.P.(C) 14559/2022 and other connected matters, already dealt with cases of similarly situated petitioners whose candidature was rejected on the ground that their experience certificates were found, upon verification, to be forged. The case of the present Petitioner stands on a similar footing. The Petitioner, however, contends that certain distinguishing features arise in the present case which warrant a different view.

10. In this regard, the Petitioner submits that a vigilance team had undertaken verification of the documents of all candidates in March, 2021, and had found the Petitioner's experience certificates to be genuine. It is pointed out that CM APPL. 36778/2024 was filed seeking a direction to the Respondents to place on record the verification report of the said vigilance team. According to the Petitioner, during this exercise, the experience



certificate issued by Rajaram Dharnia Hero was also found to be genuine, as the Manager of the establishment acknowledged that the Petitioner had worked there. It is, therefore, contended that the documents furnished by the Petitioner cannot be treated as false.

11. It is further contended that even assuming that the certificate issued by M/s Rajaram Dharnia Hero is to be disregarded, the remaining two certificates relied upon by the Petitioner suffice to meet the eligibility requirement of two years' practical experience prescribed for the post of Senior Technician under the advertisement. Accordingly, it is contended that the Petitioner's candidature could not have been rejected and that the impugned action is liable to be set aside.

12. Although the Petitioner has sought to raise certain additional grounds, the Court is unable to discern any distinguishing feature in her case. Nonetheless, in the interest of completeness, this Court deems it appropriate to examine the said contentions.

13. At the outset, it is necessary to emphasise the nature of the eligibility requirement. As per the letter of appointment, the two years' practical experience in the relevant trade was not an ancillary condition, but an essential eligibility requirement for appointment to the post of Senior Technician. A candidate who did not possess that experience, or who fails to establish it through authentic record, is not eligible for appointment. It is well settled that where the rules prescribe qualifications, the Court cannot overlook their absence on equitable considerations. In ***District Collector & Chairman, Vizianagaram Social Welfare Residential School Society v. M.***



Tripura Sundari Devi,² the Supreme Court made it clear that a person lacking the requisite qualification has no enforceable right to hold the post.

14. The experience certificates in the present case were not mere supporting papers placed on record in aid of the application. They went to the root of eligibility. The claim of two years' practical experience, being an essential condition of appointment, rested substantially on those certificates. Once BIS, upon verification, found them to be false, materially unreliable, or incapable of establishing the experience claimed, the foundation on which the appointment stood necessarily gave way.

15. The Petitioner has contended that even if one of the experience certificates is found to be forged, the remaining two certificates would suffice to meet the eligibility requirement of two years' practical experience. This submission cannot be accepted. In matters of public employment, the test is not whether the eligibility criteria can be arithmetically satisfied after excluding a tainted document, but whether the candidature itself is founded on genuine and *bona fide* disclosures.

16. The submission of a forged certificate strikes at the integrity of the selection process and renders the candidature itself untenable, irrespective of whether some certificates may otherwise satisfy the eligibility criteria.

17. This position is reinforced by the terms of appointment. Clause 12 of the appointment letter stipulates that the appointment is provisional and subject to verification of character and antecedents. The Petitioner had also furnished an undertaking in the attestation form that furnishing false information or suppressing material facts could render her unfit for employment. In such circumstances, the very act of submitting a forged or

² (1990) 3 SCC 655.



false certificate disentitles the Petitioner from continuation in service, regardless of whether her experience, *dehors* such certificates, may otherwise meet the prescribed requirement.

18. The BIS, in the impugned memorandum, also places reliance on the DoPT Office Memorandum dated 19th May, 1993, which provides, in substance, that where it is found that a government servant was not qualified or had furnished false information or produced a false certificate to secure appointment, he should not be retained in service and, if he is a probationer or temporary servant, he should be discharged or her service terminated. Even if that office memorandum is treated as executive guidance rather than the primary source of power, it accurately reflects a settled principle of service law. A person who gains entry into public employment by false foundational material cannot insist on retention merely because the falsehood surfaces after joining.

19. Even otherwise, the Petitioner's contention fails on facts. The record indicates that not only was the certificate issued by Rajaram Dharnia Hero found to be forged, but the certificate issued by Jagtamba Industrial Training Institute was also found to be partially false as the Petitioner had worked there intermittently and not for the entire period claimed. When the actual periods of service with Jagtamba Industrial Training Institute, namely from 3rd February, 2020 to 16th March, 2020 and from 21st September, 2020 to 19th January, 2021, are considered along with the experience from ITI, Pokhran from 25th September, 2018 to 22nd November, 2019, the total experience aggregates to approximately 19 months and 10 days, which falls short of the requisite two years. The eligibility condition is, therefore, not satisfied even on the Petitioner's own showing.



20. In view of the aforesaid, and for the reasons already recorded in the judgment dated 9th March, 2026 in W.P.(C) 14559/2022 and other connected matters, the Petitioner is not entitled to the relief sought in the petition.

21. It is clarified that this Court is not pronouncing on the criminal liability of the Petitioner or of any private person connected with the issuance of the certificates. Those matters, if pursued, would belong to an appropriate forum where disputed facts can be tried. The only question here is whether BIS acted unlawfully in declining to continue with the Petitioner whose essential experience certificates failed verification. That question is answered against the Petitioner.

22. Accordingly, the petition is dismissed. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

MARCH 19, 2026/hc