HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 1584/2025
CNR: RJHC020081082025 | URN: CW / 4268U / 2025

Satish Chandra Ameta S/o Nena Lal Ameta, Aged About 33 Years, R/o Village And Post Antri, Tehsil Kumbhalgarh, District Rajsamand, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Medical And Health Department, Secretariat, Jaipur.
2. The Director, State Health And Family Welfare Institutiion, Jaipur.
3. The Director (Non-Gazette), Medical And Health Services, Rajasthan, Jaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 1785/2025
CNR: RJHC020083322025 | URN: CW / 4777U / 2025

Laxman Lal Meghwal S/o Swaroop Lal Meghwal, Aged About 35 Years, R/o Village Post Kelwara, Tehsil Kumbhalgarh District Rajasamand, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary Medical And Health Department, Secretariat, Jaipur
2. The Director, State Health And Family Welfare Institution, Jaipur.
3. The Director (Non-Gazette), Medical And Health Services, Rajasthan, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 1786/2025
CNR: RJHC020083622025 | URN: CW / 4782U / 2025

Kishan Lal Meghwal S/o Ram Lal Meghwal, Aged About 34 Years, R/o Village Pipla Post Pipla, Tehsil Kumbhalgarh, District Rajsamand, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary Medical And Health Department, Secretariat, Jaipur.
2. The Director, State Health And Family Welfare Institution, Jaipur.
3. The Director (Non- Gazette), Medical And Health Services, Rajasthan, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Ram Pratap Saini Mr. Aamir Khan
For Respondent(s)	:	Mr. Archit Bohra with Mr. Rahul Verma

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

28/10/2026

1. Since common questions of law and facts are involved in these instant writ petitions, hence, with the consent of learned counsel for the parties, arguments have been heard together and all these petitions are being decided by this common order.

2. The instant bunch of writ petitions have been filed with a prayer for issuing directions to the respondents to consider the cases of the petitioners for appointment on the post of Nursing Officer in pursuance of the advertisement dated 05.05.2023, on the basis of their ANM certificates and registration certificates issued by the Rajasthan Nursing Council.

3. At the outset, it has been apprised at the Bar that the issue involved in these petitions has already been decided by the Division Bench of this Court at Principal Seat at Jodhpur in the case of **Ganesh Lal Gujar v. State of Rajasthan & Ors.**, while

deciding **D.B. Special Appeal (Writ) No. 909/2024** vide order dated 12.05.2025. Hence, a prayer has been made for deciding the instant petitions in light of the similar directions issued in the case of **Ganesh Lal Gujar (supra)**.

4. Learned counsel appearing for the State opposed the arguments, but was not in a position to controvert the aforesaid submissions.

5. Heard and considered the submissions made at the Bar and perused the material available on record.

6. Looking to the fact that the controversy involved in these petitions has already been decided by the Division Bench of this Court at Principal Seat at Jodhpur in the case of **Ganesh Lal Gujar (supra)**, by laying down the proposition of law in paragraphs 3, 4 and 5, which read as under:

> "3. Before the writ Court, the appellant pleaded that he possessed the requisite work experience for the post of Nursing Officer and was entitled for bonus marks for six months from 03rd September 2021 to 31st March 2022. However, the writ Court refused to issue a direction for his appointment to the post of Nursing Officer on the ground that he performed the work of ANM which is not equivalent to GNM and, therefore, did not possess the requisite work experience qualification. The writ Court dismissed his petition observing as under:-
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> *"Learned counsel for the petitioner submits that though the petitioner was holding the qualification for performing the job of GNM, however, he was made to work on the post of ANM and therefore, he has to his credit the work experience on the post of ANM. Learned counsel further submits that the petitioner's candidature may be considered for Nursing Officer treating him to have completed the work experience of GNM as at the relevant point of time, the department had taken the work of ANM instead of GNM from the petitioner. Learned counsel, therefore, prays that*

the respondents may be directed to relax the condition of GNM experience in favour of the petitioner while considering his candidature for appointment to the post of Nursing Officer.

Per contra, learned Additional Advocate General has opposed the submissions made by learned counsel for the petitioner. He submits that the representation filed by the petitioner was considered by the respondents and by a speaking order dated18.10.2023, the same was rejected. Learned Additional Advocate General further submits that since the petitioner has performed the work on the post of ANM and the requirement as per the advertisement is of experience on the post of GNM and therefore, the candidature of the petitioner was rejected as he did not had the experience of working on the post of GNM. Learned AAG therefore, prays that the writ petition may be dismissed.

I have considered the submissions made at the bar and gone through the relevant record of the case including the order passed by the respondents deciding the representation of the petitioner vide their order dated 18.10.2023.

The undisputed facts in the present case reveal that the petitioner is having Diploma in GNM and RNC certificate to his credit, he has performed the work of ANM for the period from06.02.2018 to 31.08.2021. In pursuance of the advertisement dated18.08.2023, the petitioner applied for the post of Nursing Officer, however, his candidature was rejected on the ground that he does not have the experience of working as GNM. The argument of learned counsel for the petitioner that though the petitioner is holding the requisite qualification to perform the work of GNM, however, the respondents at the relevant time employed the petitioner on the post of ANM and therefore, the work experience of ANM during the Covid-19 period may be substituted to that of GNM while considering his candidature for the post of Nursing Officer. The argument of learned counsel simply cannot be acceded to on the ground that if the rules provide for a particular experience certificate as an eligibility criteria for appointment on a particular post, the same cannot be substituted merely because the

petitioner was holding the qualification for that post but the petitioner was made to work on a post lower than his qualification. In the present case, instead of GNM, the petitioner was allowed to perform the work of ANM. The qualification in the present recruitment for the post of Nursing Officer as specified as per the notification dated 18.08.2023 is Senior Secondary, GNM experience/ B.Sc Nursing and Registration with the Rajasthan Nursing Council. Since, the work experience of the petitioner is on the post of ANM, therefore, the same cannot be substituted in the category of GNM. The benefit of work experience on the post of ANM cannot be substituted in place of work experience of GNM.

In view of the discussion made above, no relief can be granted to the petitioner. The writ petition is dismissed being devoid of any force."

4.Based on the counter affidavit/supplementary affidavit filed in writ proceedings, Ms. Anita Rajpurohit, the learned counsel for the respondents has raised an objection to the work experience qualification of the appellant on the ground that the post of GNM is quite different from ANM. According to the respondents, the job profile of the GNM includes patient care, administration, teaching and training, quality assurance and infection protection, implementation of Act and legislations and the like matters. Whereas, the responsibilities of ANM comprise of patient care, implementation of National Health Programme, outreach/field service, coordination and monitoring, management, quality assurance, reporting, etc. The respondents further pleaded that the work of ANM is of a Health Assistant who is also responsible to bring awareness among the people on various health issues under the health programmes.

5.The reason why the appellant could not be selected to the post of Nursing Officer is that he was not awarded bonus marks for the work experience for six months during which period he was working as GNM. The respondents admit that the post of GNM carries higher responsibilities and expertise compared to ANM and in support thereof, referred to the decision in S. B. Civil Writ Petition

> No.3148/2016 titled as "Smt. Munni Kumari Mewara v State of Rajasthan & Ors.". This is also not in dispute that both ANM and GNM are diploma level courses and the candidates having such diploma are qualified to work as nurses in different health care centers. As noticed above, the course for the GNM covers a wider range of topic including advance skills and midwifery. The GNM course is typically of three years compared to the ANM course which is usually a 2-year course. The curriculum and syllabus of the ANM course issued by the Indian Nursing Council indicate that the ANM has to undergo GNM programme to be eligible for a Diploma in Public Health courses. The circular dated 29th April 2013 issued by the Indian Nursing Council further indicates that there is no age bar for ANM/LHV for the GNM programme. The appellant has also produced the draft notification of "ANM to GNM-Two Year Bridge Programme, Regulations 2024"issued on 19th November 2024 by the Indian Nursing Council which amply demonstrates that the GNM is a higher diploma course and an individual having the ANM diploma is required toundergo 2-year Bridge Programme for enhancing his qualification to GNM. We further find that the experience certificate dated 25thMay 2023 issued by the Chief Medical and Health Officer, Bhilwara clearly suggests that the appellant worked as Covid Health Assistant under the NHM Programme and the requisite qualification for that post is "ANM/GNM". It is also indicated in the said certificate that the appellant was performing the nursing work. In view thereof, we are of the opinion that the appellant has requisite work experience and he was illegally excluded from the selection process and not given appointment to the post of Nursing Officer."

7. This Court finds no valid reason to take a different view. Hence, the instant petitions are liable to be and are hereby allowed in terms of the similar directions issued in the case of **Ganesh Lal Gujar (supra).**

8. Needless to observe that the respondents shall comply with the directions issued by this Court within a period of three months from the date of receipt of a certified copy of this order.

(ANOOP KUMAR DHAND),J

*GAURAV /*276-278