

(2010) 07 SHI CK 0046
In the High Court Of Himachal Pradesh

Jasvinder Kaur and Others

APPELLANT

Vs

State of Himachal Pradesh and Another

RESPONDENT

Date of Decision : 09-07-2010

Acts Referred:

Citation : (2010) 07 SHI CK 0046

Hon'ble Judges : Kurian Joseph, C.J.;Rajiv Sharma, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Kurian Joseph, C.J.—Petitioners have applied for selection to the post of Assistant Librarians in the Education Department. When the posts were notified as per Annexure P-2, the qualification was Matric with a Diploma/Certificate in Library Science from a recognized Board/University, but as per the Recruitment and Promotion Rules, the qualification prescribed is Matric with Diploma in Library Science from a recognized University. Realizing the mistake committed in Annexure P-2, Annexure P-1, corrigendum was issued and the same was published in leading news papers, which is under challenge.

2. We have gone through the Recruitment and Promotion Rules for the post of Assistant Librarian, Class-III (Technical), Education Department, Himachal Pradesh, notified on 24th December, 1973, as amended vide Notification dated 24th May, 2000, as per which the minimum educational qualification for the post in question is Matriculate with Diploma in Library Science from a recognized Institute.

3. According to the petitioners, they have applied for the post of Assistant Librarians in the Education Department, in terms of Annexure P-2, notification and the Selection Board cannot change the eligibility criteria, even if there is a mistake committed earlier. We are afraid, that contention cannot be accepted. The very purpose of issuing the corrigendum before the commencement of the actual selection process is to set right the mistake that has been committed

while issuing Annexure P-2, notification. The qualification for the post is prescribed under the Rules. Even if a mistake is committed while calling the applications also and particularly when steps are taken for correcting the mistake prior to the selection process has been commenced, it cannot be said that Annexure P-1 is in any way illegal. The appointment of Assistant Librarian in Education Department can only be in terms of the qualification and method of appointment, as prescribed under the Recruitment and Promotion Rules. In view of this, the impugned corrigendum issued as per Annexure P-1, being only in terms of the Rules and since the petitioners do not possess the qualification prescribed under the Rules, we do not find any merit in these writ petitions. The writ petitions are hence dismissed, so also the pending application(s), if any.

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