
(2011) 09 AHC CK 0168
In the Allahabad High Court
Case No : Writ A No. 55288 of 2011

Madhukar Saran	Vs	APPELLANT
State of U.P. and Others		RESPONDENT

Date of Decision : 23-09-2011

Acts Referred:

Citation : (2011) 09 AHC CK 0168

Hon'ble Judges : Dilip Gupta, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Dilip Gupta, J.—This petition has been filed for a direction upon the State Government to relax the upper age limit of 30 years for selection of Shiksha Mitras for B.T.C. Training Course-2011.

2. The Petitioner claims to have been appointed as a Shiksha Mitra on 1st September, 2007 when he was 32 years and 7 months old. An advertisement, on the basis of the Government Order dated 1st September, 2011, has been issued for selection of candidates for B.T.C. Training-2011. Clause 2 of the advertisement provides that 10% eligible Shiksha Mitras shall also be sent for training. Clause 4 provides that the age of the applicants as on 1st July, 2011 shall not be less than 18 years and not more than 30 years and that No. relaxation in age limit shall be given.

3. It is the contention of the learned Counsel for the Petitioner that since 10% Shiksha Mitras under Clause 2 of the advertisement are to be sent for training, the age limit should not be applied to them and only the educational qualification should be seen.

4. It is not possible to accept this contention of the learned Counsel for the Petitioner. Though 10% seats may be made available to the Shiksha Mitras for being sent for B.T.C. Training-2011 but such applicants should not only possess the educational qualifications but should also be within the age limit prescribed

under Clause 4 of the advertisement. It is for the State Government, in its wisdom, to fix the age limit prescribed for such training and it cannot be said that the age limit fixed by the State Government is arbitrary, particularly in view of the fact that the ultimate object of the State Government is to make appointment on the posts of Assistant Teachers after providing such training.

5. This issue was also examined by the Court in Writ Petition No. 33798 of 2010 *Dr. Priya Deexit v. State of Uttar Pradesh and Ors.*, which related to the B.T.C. Training-2010, which petition was dismissed by the judgment and order dated 8th July, 2010 with the following observations:

Petitioner challenges the lower and the upper age limit fixed by the State Government for admission to B.T.C. Course 2010.

I am of the considered opinion that the fixation of minimum and maximum age for admission to the B.T.C. Course is within the domain of the State Government. It cannot be said that the fixation so done is arbitrary. It is needless to emphasise that after B.T.C. training is completed successfully by the candidate, he is appointed as Assistant Teacher in Primary School. The maximum age prescribed under statutory rules applicable is 32 years. The B.T.C. Training Course is of two years. The State Government has decided to fix the age limit of 30 years as the maximum age which is fair enough. In respect of minimum age, this Court finds that majority is attained at the age of 18 years therefore fixation of maximum age at 19 years cannot be faulted with.

In view of the aforesaid, this Court finds No. good ground to interfere in the age fixed for selection to the B.T.C. course.

Accordingly, this writ petition is dismissed.

6. Thus, for all the reasons stated above, the Petitioner is not entitled to any relief. The writ petition is, accordingly, dismissed.