
(2010) 09 P&H CK 0271

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 16054 of 2010

Priyanka Bansal and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 08-09-2010

Acts Referred:

University Grants Commission (Minimum Standards and Procedure for Award of Ph.D. Degree) Regulations, 2009 — Regulation 3.3.1

Citation : (2010) 09 P&H CK 0271

Hon'ble Judges : Ranjit Singh, J

Bench : Single Bench

Judgement

Ranjit Singh, J.—The petitioners have filed this writ petition seeking direction for quashing of the selection criteria for the post of Lecturer (College Cadre), HES-II (Group-B). Their grievance is that the respondents have made eligible even those candidates, who were enrolled in Ph.D. Degree upto 31.5.2009 and had exempted the condition of NET/SLET or degree of Ph.D. in continuation of the advertisement (Annexure P-1). The counsel makes reference to Regulation 3.3.1 of the UGC Regulations, which reads as under:

3.3.1-NET/SLET/SET shall remain the minimum eligibility condition for recruitment and appointment of assistant professors in universities/colleges/institutions. Provided however that the candidates who are or have been awarded Ph.D. Degree in compliance of the University Grants Commission (minimum standards and procedure for award of Ph.D. Degree), Regulations 2009, shall be exempt from the requirement of the minimum eligibility condition of NET/SLET/SET for recruitment and appointment of assistant professor or equivalent positions in universities/colleges/institutions.

2. Accordingly, the counsel contends that those who are not Ph.D. cannot be held eligible unless they have NET/SLET or SET qualification. The candidates, who have enrolled in Ph.D. upto 31.5.2009 have been made eligible and not those who are not pursuing any Ph.D.

3. The submission that such candidates, who are not Ph.D., have been equated with those who are possessing a degree of Ph.D. and, thus, it amounts to discrimination. Ph.D. is not the minimum qualification. It is only that candidates with Ph.D. are exempt from NET/SLET/SET qualification. Respondents have only made some candidates eligible to compete in a written test, which is going to be held. This is an appropriate and well recognised mode/method for testing the merit of the candidates, who are being made to compete and the appointment would only follow if persons are otherwise eligible as per the criteria laid down. No case for interference, thus, is made out.

4. Dismissed.