



**IN THE HIGH COURT OF MADHYA PRADESH**  
**AT GWALIOR**

**BEFORE**

**HON'BLE SHRI JUSTICE ANAND SINGH BAHRAWAT**

***ON THE 24<sup>th</sup> OF FEBRUARY, 2026***

**WRIT PETITION No. 5900 of 2010**

***RAMBEER SINGH YADAV***

*Versus*

***STATE OF M.P. AND OTHERS***

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**Appearance:**

Shri S. K. Sharma with Ms. Pooja Shukla - learned counsel for petitioner.  
Shri Rinkesh Goyal – learned Government Advocate for the respondents/State.

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**ORDER**

This petition, under Article 226 of Constitution of India, has been filed seeking the following relief (s):

(i) *That, the impugned order dated 16.9.2010 Annex P/1 may kindly be quashed.*

(ii) *That, the selection process be completed as per the policy and marks be awarded only for the eligible candidates having qualification.*

(iii) *That, any other relief which this Hon'ble High Court may deem fit, with cost of the petition. ”*



2. Learned counsel for the petitioner submits that for the welfare of rural candidates, a scheme was introduced in the name of Madhya Pradesh Rojgar Guarantee Parishad and for the efficient functioning of the said scheme, certain workers were employed and designated as Rojgar Sahayaks. Their appointments were directed to be made in accordance with the policy dated 14.04.2010. It is further submitted that the said scheme provides a detailed procedure for selection, wherein the distribution of marks is prescribed under Clause 3 of the policy. As per the said criteria, 20 marks are allotted for a computer qualification certificate and the remaining marks are allotted for different qualifications to calculate the total marks for selection. It is further submitted that the petitioner has obtained the certificate pertaining to computer qualification and is therefore eligible to be awarded 20 marks; however, instead of 20 marks, only 15 marks were awarded to the petitioner.

3. Learned counsel for the respondents submits that the petitioner does not possess a diploma certificate; therefore, only 15 marks were awarded to him and 20 marks were not awarded. He has opposed the prayer made by learned counsel for the petitioner and prays for dismissal of the petition.

4. Heard the learned counsel for the parties and perused the record.

5. Perusal of the record reveals that under the policy dated 14.04.2010 governing appointment of Rojgar Sahayaks, 20 marks are prescribed for a computer qualification certificate. The petitioner possesses the requisite certificate and is, therefore, entitled to 20 marks; however, only 15 marks were awarded to him.



6. As per the scheme, the minimum qualification prescribed as under:

**(ख) वांछित अर्हताएं**

(एक) राज्य शासन से मान्यता प्राप्त संस्था से कम्प्यूटर परीक्षा उत्तीर्ण। इस सम्बन्ध में सामान्य प्रशासन विभाग के ज्ञाप क्र. सी/3-11/08/3/एक, भोपाल, दिनांक 12.06.09 में उल्लेखित संस्थाओं से किसी एक संस्था से कम्प्यूटर परीक्षा उत्तीर्ण करना आवश्यक होगा :-

- (i) Diploma from all Universities recognized by UGC.
- (ii) Diploma from all Open Universities recognized by UGC,
- (iii) Diploma level examination from DOEACC.
- (iv) Modern Office Management: Course from Govt. Polytechnic College.

(दो) राष्ट्रीय ग्रामीण रोजगार गारंटी योजना के अंतर्गत संविदा पद पर अथवा मॅट के रूप में न्यूनतम 1 वर्ष कार्य करने का अनुभव

**(तीन) औद्योगिक प्रशिक्षण संस्था**

(1) औद्योगिक प्रशिक्षण संस्था (ITI) द्वारा ग्रामीण इंजीनियर योजना में 110 कार्य दिवस का मेसन/प्लम्बर व्यवसाय में प्रशिक्षित या औद्योगिक प्रशिक्षण संस्था (ITI) द्वारा रोजगारोन्मुखी व्यावसायिक प्रशिक्षण योजना अंतर्गत एकाउन्टेन्सी, कम्प्यूटर एप्लीकेशन, डाटा एन्ट्री आपरेटर, आर्किटेक्ट, असिस्टेंट में 6 माह कोर्स में प्रशिक्षण संस्था (ITI) से ड्राफ्ट्समेन सर्वेयर का दो वर्षीय प्रशिक्षण प्राप्त।

**3. चयन के मापदण्ड:-**

स.क्र.	मापदण्ड	अधिकतम अंक
1.	हायर सेकेण्ड्री परीक्षा (10+2) में प्राप्तांकों को	100



	प्रतिशत के बराबर अंक	
2.	<p>(i) <u>राज्य शासन द्वारा मान्यता प्राप्त संस्था से कम्प्यूटर संचालन का पाठ्यक्रम उत्तीर्ण हेतु</u></p> <p>या</p> <p>(ii) औद्योगिक प्रशिक्षण संस्था द्वारा रोजगारोन्मुखी व्यावसायिक प्रशिक्षण योजना अंतर्गत कम्प्यूटर एप्लीकेशन, डाटा एन्ट्री आपरेटर कोर्स में प्रशिक्षण प्राप्त</p>	20
3.	राष्ट्रीय रोजगार गारंटी योजना में संविदा पर अथवा मेट के रूप में एक वर्ष से अधिक अवधि का कार्य करने का अनुभव	15
4.	<p>(1) औद्योगिक प्रशिक्षण संस्था (ITI) द्वारा ग्रामीण इंजीनियर योजना में 110 कार्य दिवस का मेसन/प्लम्बर व्यवसाय में प्रशिक्षित।</p> <p>(2) औद्योगिक प्रशिक्षण संस्था (ITI) द्वारा रोजगारोन्मुखी व्यावसायिक प्रशिक्षण योजना अंतर्गत एकाउन्टेन्सी, आर्किटेक्ट असिस्टेंट में 6 माह कोर्स में प्रशिक्षण प्राप्त</p> <p>(3) औद्योगिक प्रशिक्षण संस्था (ITI) से ड्राफ्ट्समेन/सर्वेयर का दो वर्षीय प्रशिक्षण प्राप्त</p>	15
	योग	150



7. The petitioner possesses a certificate from Government Polytechnic, Ashok Nagar, which has been enclosed by the respondent as Annexure R/1. Even in paragraph 3 of the reply, the respondents have mentioned that as per the policy framed by the State, 20 marks are to be awarded by the Authority to a computer diploma holder; however, due to some misunderstanding, 15 marks were awarded in the impugned order. The respondent has admitted in the reply that 15 marks were wrongly awarded instead of 20 marks in the following manner:

“3. That, as per the policy framed by the state authorities 20 marks has to be awarded for computer diploma holders though due to some misunderstanding in the order impugned 15 marks has to be awarded.”

8. The relevant portion of circular dated 12.6.2009 issued by Deputy Secretary, State of Madhya Pradesh, is reproduced below for ready reference and convenience:

कृपया संदर्भित ज्ञापन का अवलोकन करें। उक्त ज्ञापन में सहायक ग्रेड-3 की सीधी भरती हेतु मुद्रलेखन के साथ कम्प्यूटर संचालन का ज्ञान अनिवार्य किया गया था किन्तु कम्प्यूटर संचालन का ज्ञान पर्याप्त योग्यता नहीं है, अतः शासन द्वारा निर्णय लिया गया है कि सहायक ग्रेड-3 की सीधी भरती हेतु हिन्दी मुद्रलेखन की परीक्षा के साथ निम्नलिखित मान्यता प्राप्त संस्थाओं में से किसी एक संस्था से कम्प्यूटर परीक्षा उत्तीर्ण करना अनिवार्य है-

- (1) Diploma from all Universities recognized by UGC.
- (2) Diploma from all Open Universities recognized by UGC.
- (3) Diploma level examination from DOEACC.
- (4) Modern Office Management Course from Govt. Polytechnic College

सभी विभाग अपने सेवा भर्ती नियमों में उक्तानुसार प्रावधान करें।



9. **As per the scheme, the requisite qualification is only to pass the computer examination; therefore, the argument of the Government Advocate that the minimum qualification is obtaining a diploma is not sustainable.**

10. Considering the above, this petition is disposed in following manner:

(i) The impugned order dated 16.9.2010 (Annexure P/1) is hereby quashed.

(ii) In the requisite qualification, only the requirement of passing the computer examination has been mentioned and since the petitioner possesses the certificate (Annexure R-1), the respondents are directed to reconsider the candidature of the petitioner after awarding 20 marks to him.

(iii) If the petitioner is found suitable, the necessary consequential benefits shall be extended to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

**(Anand Singh Bahrawat)  
Judge**

**Ahmad**