



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

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 1st OCTOBER, 2024

W.P.NO.3106/2024

Rohit Vanjari

Versus

The Chariman & Managing and another

Appearance:

Shri Ranjeet Sen, Advocate for the petitioner.

Shri Vivek Patwa, Advocate for respondents.

ORDER

1] This petition has been filed by the petitioner under Article 226 of the Constitution of India seeking following relief:-

“A. That, the Impugned Order dated-29.01.2024 filed as Annexure-P/1 & the undated Corrigendum No-01, Annexure-P/2, issued by the Respondent No-02, may kindly be quashed, with further direction to the Respondent No-02, to issue appointment order in favour of petitioner on the post of Junior Technician (Information Technology) Post Code-09.

B. That, the Respondents may kindly be directed to consider the candidature of the petitioner for the post of Junior Technician (Information Technology) under the SC Category Quota, and the Respondent No.02, may kindly be directed to issue appointment Order in favour of Petitioner.

c. Any other relief which this Hon'ble Court may deem fit may also be kindly given to the petitioner along with cost and oblige.”



2] The grievance of the petitioner is that despite having the requisite qualification for the post of Junior Technician (Information Technology), the respondent no.1, which is a unit of Security Printing and Minting Corporation of India Limited, has rejected his candidature vide order dated 29.1.2024 (Annexure P/1).The petitioner has also challenged the corrigendum which has been issued pursuant to the advertisement dated 22.7.2023 (Annexure P-3) issued by respondent no.1, inviting the applications for various post.

3] In brief facts of the case are that the petitioner is a diploma holder in Information Technology (IT) from Government Polytechnic Ujjain, District Ujjain, which is a recognized institute. Whereas, the respondents issued an advertisement dated 22.7.2023, *inter alia*, for the post of Junior Technician Information Technology for which the petitioner also applied. It is further the case of the petitioner that he appeared in the aforesaid test conducted by the respondents on 24.11.2023, and was declared successful in the written examination for the post of Junior Technician (Information Technology), vide result dated 20/12/2023, and vide the letter dated 22.12.2023, the petitioner was called for the document verification on 16.1.2024.

4] However, the Respondent no.2, issued a corrigendum No.1 (Annexure P/2) after the declaration of the result of the examination, and just before the process of the document verification which was scheduled on 16.1.2024, amending the educational qualification for the post of “Junior Technician (Information Technology) for 2 posts as *Essential: Full time ITI certificate recognised from NCVT/SCVT in Information Technology Trade*”, and excluding the Diploma holders



from the purview of the same.” Thus, the candidature of the petitioner has been rejected vide impugned order dated 29.1.2024, informing that he does not hold the requisite qualification as per the advertisement.

5] Counsel for the petitioner has submitted that the petitioner holds the requisite qualification as provided under the Policy for Recruitment (Annexure R-1), in which it is provided that *“for the post of workman the essential qualification is Full Time I.T.I certificate in the respective trade whereas it is also stated that it would be desirable if the candidate is a Diploma holder.*

6] Counsel for the petitioner has submitted that subsequent to the advertisement, a corrigendum (Annexure P-2) was also issued, whereby, the requisite desirable qualification of holding a diploma has been done away with, and it has been provided that only those persons who hold Full Time I.T.I Certificate recognized from NCVT/SCVT in Information Technology Trade would be eligible candidate. It is further submitted that the aforesaid corrigendum has been issued in violation of the recruitment policy of the respondents, despite the fact that the policy was binding on respondent no.2. Thus, it is submitted that the aforesaid amendment has been made in the advertisement which has resulted in depriving the petitioner of his right to claim the candidature.

7] Counsel for the petitioner has also drawn the attention of this Court to para 1.8 of the corrigendum, which provides for standardization of requisite qualification, and thus, it is submitted that the impugned corrigendum be quashed, and the order be set aside and



respondents be directed to issue the appointment order to the petitioner.

8] Counsel for the respondents on the other hand has vehemently opposed the prayer, and a reply has also been filed traversing the averments made in the petition. Counsel for the respondents has also submitted that no case for interference is made out as the corrigendum has been issued by the respondents after due diligence.

9] Heard learned counsel for the parties and perused the record.

10] From the record, it is found that it is not disputed that the petitioner was holding the requisite qualification as per advertisement dated 22.7.2023, which provides as under:-

Junior Technician (Electrical/Information Technology)	1)xxxxxxx 2) Junior Technician (Information Technology) for 2 posts. Essential: Full time ITI certificate recognised from NCVT/SCVT in Information Technology Trade Or Higher qualification ,i.e, <u>Full Time Diploma in Information Technology from Government recognized Institutes /Polytechnics will also be considered</u> (emphasis supplied)
--	--

11] Subsequent to which a corrigendum was also issued (Annexure P-2) in which the qualification for Junior Technician is stated to be as under:-

Junior Technician (Electrical/Information Technology)	1)xxxxxxx 2) Junior Technician (Information Technology) for 2 posts. Essential: Full time ITI certificate recognised from NCVT/SCVT in Information Technology Trade
--	---



12] Thus, apparently, the qualification of diploma in IT has been done away with by way of this corrigendum.

13] So far as the policy for recruitment is concerned, the relevant excerpts of the same read as under:-

“5.0 ELIGIBILITY CRITERIA

5.1 No appointment shall be made to any post in the Company unless the person fulfills, the minimum eligibility' requirements and conforms to the specifications prescribed for the post.

5.2 The selection criteria which include educational and/or professional qualifications, essential as well as desirable, and upper age limit etc. prescribed in respect of each induction level post is attached as].Annexure-II

5.3 To ensure uniformity and consistency in such job titles, job descriptions and role outlines together with the pay scale/Grade pay applicable in respect of all categories of posts will be issued by the GMs/HODs and Corporate Office from the concerned Department and may be revised from time to time.”

14] A perusal of the aforesaid policy clearly reveals that policy has been formed only to standardize the eligibility criteria to all the 9 units of the respondents, and for of rationalizing the norms of such specification in the matter of recruitment of Executive supervisor and workman in SPMCIL.

15] It is not disputed by the respondents that the aforesaid policy is mandatory, and even otherwise, there is no such clause or reference in the policy that the units of SPMCIL can deviate from such policy. In such circumstances, this court is of the considered opinion that it was incumbent upon the respondents to adhere to the educational



qualification as prescribed in the aforesaid policy for the post of Junior Technician, Information Technology, which is I.T.I certificate holder as essential, and Diploma Holder, as desirable in the same field.

16] In such facts and circumstances of the case, the action of the respondents to amend the educational qualification of the advertisement dated 22.7.2023, for the post of Junior Technician, Information Technology by way of corrigendum, deleting the qualification of Diploma holder, in the considered opinion of this court is *dehors* the recruitment policy, cannot be sustained and is liable to be quashed. Accordingly, the corrigendum so far as it relates to the post of Junior Technician Information technology is hereby quashed, and it is held that the respondents are bound by the eligibility criteria as prescribed by them in the original advertisement dated 22.7.2023 (Annexure P-3).

17] Otherwise also, it is trite that the rules of the game cannot be changed after it is played, and in the case on hand, this is exactly what the respondents have done, for no apparent reasons, they have changed the educational qualification after the results were declared, depriving the potential candidates from the employment.

18] Resultantly, the corrigendum (Annexure-P/2) for the post of Junior Technician, Information Technology, whereby the qualification of Diploma holder has been deleted, is hereby quashed, and the impugned order dated 29.1.2024 (Annexure P-1) whereby, the petitioner candidature has been rejected, is also hereby set aside, and as a natural corollary, the respondents are directed to issue the appointment letter to the petitioner, who holds the requisite



qualification of Diploma in Information Technology for the post of Junior Technician, Information Technology.

10] Let the aforesaid exercise be completed within a further period of four weeks.

20] With the aforesaid, **the petition stands allowed and disposed of.**

(SUBODH ABHYANKAR)
JUDGE

das