

Office of Director, Public Instructions (SE), Punjab  
PSEB Complex, Phase-8, SAS Nagar

Order No. 2/52-2016 Est.2(6)  
Dated, Chandigarh: 28-11-2016

Harveen Kaur D/o Sukhjit Singh R/o Village Kiri, P.O. Bahadurpur Rajoa, Tehsil Batala, District Gurdaspur filed Civil Writ petition No. 15520 of 2012 challenging the Speaking Orders dated 30-5-2012, whereby the claim of the petitioner for appointment to the post of Hindi Mistress in Ex-Serviceman (Dependent) category had been declined and also sought mandamus to appoint her as Hindi Mistress being fully eligible with the merit of 61.450 %.

2 The Hon'ble High Court by the judgement dated 16-5-2016 decided the writ petition. The operative part of the judgment is as follows:

"It is neither the case of the respondents also that there are other candidates higher in merit who would consume the three vacancies and, therefore, the petitioner would not fall in the zone of consideration. In such circumstances, this court is of the view that the impugned order dated 30-5-2012 (Annexure P-15) is not justified. It is accordingly quashed and the respondent are directed to consider the case of the petitioner in the above said category within a period of 3 months. In view of the stand taken by the respondents in case of successful consideration, the petitioner shall also be entitled to all the notional benefits similar to the last candidate appointed.

The writ petition is accordingly allowed."

3 In compliance with the judgment of the Hon'ble Court, the petitioner was given personal hearing on 6-9-2016 and at the time of hearing she was handed over a proforma to fill regarding her educational qualifications, which she could not submit. She was given another personal hearing on 28-11-2016 in which she submitted copies of certificates of her educational qualifications.

4 According to Punjab State Education Class III(School Cadre) Service Rules, 1978 as amended in 1995, the qualifications for appointment to Master/Mistress are as follows:

- (i) Graduate of recognised University with B.T. or B.Ed.

Further for appointment to the post of Hindi Mistress, the qualification is prescribed as follows:

- (i) Graduate with Hindi as a subject.
- (ii) B.Ed. with teaching of Hindi in B.Ed.

5 The certificates/degrees of the petitioner were perused carefully and it was found that she passed B.Ed. from Shri Rawatpura Sarkar International University, Raipur, Chhattisgarh with Roll No. 115001 in the year/session 2003-04. The list of valid universities issued by University Grants Commission was also examined and it was observed that Shri Rawatpura Sarkar International University, Raipur, Chhattisgarh does not find mention in the list, meaning thereby that the University is not recognised by the UGC nor approved by the Distance Education Council. Therefore, the B.Ed. degree of the petitioner cannot be held as valid. As the qualification of B.Ed. is compulsory qualification for appointment to the post of Hindi Mistress. Hence, the petitioner could not be appointed on the basis of invalid B.Ed. degree.

Keeping in view the facts and circumstances of the case and invalid B.Ed. degree of the petitioner, I am of the considered view that she is not entitled to be appointed as Hindi Mistress and the claim of the petitioner is hereby rejected.

Balbir Singh  
Director, Public Instructions (SE), Punjab.

Endst. No. Even

Dated, SAS Nagar:

Copy is forwarded to the followings for information and necessary action:

1. The Registrar, Punjab & Haryana High Court in reference with Civil Writ petition No. 15520 of 2012.
- 2 Deputy Director (Recruitment)
- 3 ✓ Harveen Kaur, Harveen Kaur D/o Sukhjit Singh R/o Village Kiri, P.O. Bahadurpur Rajoa, Tehsil Batala, District Gurdaspur.

  
Assistant Director (SA-2)  
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