2025:PHHC:149766

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-32117-2025 (O&M)
Date of decision: 31.10.2025

Amit Ahalawat

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.S. Nirmaan, Advocate,
for the petitioner.

Mr. Kanwal Goyal, Advocate
for respondent No.2-HPSC.

Ms. Mansi, Advocate
for Mr. Sukhdeep S. Parmar, Advocate
for respondent No.3-HSPCB.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been preferred under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the *scheme/pattern* of exam for the screening test as laid down in announcement dated 13.08.2025 (Annexure P-3), for the post of Assistant Environmental Engineer in respondent No.3-Haryana State Pollution Control Board arising out of advertisement bearing No.20 of 2025 dated 13.08.2025 (Annexure P-2).

2. Learned counsel for the petitioner contends that the petitioner possesses a Bachelor's and Master's degree in Civil Engineering from Maharishi Dayanand University, Rohtak. Being eligible, he applied to the post of Assistant Environmental Engineer in

respondent-HSPCB as advertised vide advertisement (supra). He submits that the examination for the same is being conducted by respondent-HPSC in three steps- screening test, subject knowledge test and interview. However, the syllabus prescribed for the screening test outrightly excludes the subjects relevant to engineering. Further, as per announcement dated 13.08.2025 (Annexure P-3), only four times the number of total advertised posts i.e. 29, would be called for the next stage- subject knowledge test. Even for the examinations conducted by the Union Public Service Commission, after the preliminary examination, candidates ten times in number with respect to the advertised posts are invited for the main examination. Further still, 45 posts of Assistant Environmental Engineer were advertised in the year 2023 vide advertisement bearing No.24/2023 dated 03.06.2023, followed by the announcement (Annexure P-4) of a scheme of the exam wherein the syllabus for screening test involved waste management, natural resources, environment and engineering subject. As such, the petitioner had a legitimate expectation that a similar pattern would be followed for subsequent examination for the same post. The screening test criterion does not test the candidates on their knowledge in the subjects relevant to the post and has no rational nexus with the advertised post. Testing the candidates on their general knowledge, history etc does not serve any purpose as the post of Assistant Environmental Engineer has a technical nature, which is why essential qualifications include a bachelor’s degree in engineering in first division

in Civil/Chemical/ Environmental Engineering. Learned counsel places reliance on the judgment rendered by a Coordinate Bench of this Court in ***Lakhan Singh vs. State of Haryana and others*** in ***CWP-25672-2025.***

3. *Per contra*, learned counsel for the respondent-HPSC submits that with respect to the notified in the year 2023, a total of 7189 applications were received against 54 posts, increased from 45 by way or corrigendum dated 22.08.2023. However, on completion of the process, only 25 candidates were recommended for appointment leaving 29 posts vacant. Since over half of the posts were left vacant, it was decided to simplify the syllabus for the screening test by including general topics and advertisement (supra) was issued with respect to the said 29 posts. Moreover, till date, neither did the petitioner raise any grievance or moved a representation with respect to the syllabus. When admit cards have been issued to 3637 candidates and all necessary arrangements have been made, the petitioner has filed the instant writ petition. Learned counsel further contends that a candidate only needs to secure 25% marks in the screening test to be eligible for the next stage-subject knowledge test. It has also been made clear that the marks obtained in the screening test shall not be added to the final result. As such, the screening test serves a minimal purpose of short listing candidates. Further still, a homogeneous category of candidates possessing the same essential qualifications are competing against each other for same post, therefore, there is no question of violation of Article

14 of the Constitution. Additionally, the candidates seeking appointment to Group B posts are expected to have basic general knowledge and analytical skills to discharge their duties in a proper fashion, thus it cannot be said that testing them on general subjects is arbitrary. It is the prerogative of the respondent-HPSC to prescribe a criterion that would allow the best suited candidates to be shortlisted and expedite the recruitment process.

4. Learned counsel further submits that the contentions raised by the petitioner have already been dealt with by a Division Bench of this Court in ***Ashish Kumar and another vs. State of Haryana and others*** in ***CWP-24605-2025*** *decided on 12.05.2023* wherein it was held that the Commission is an expert body, competent to decide in consultation with State Departments on what subjects should candidates be tested for shortlisting. Thereafter, two petitions bearing CWP-3431-2024 and CWP-18797-2024 were also dismissed by Division Bench of this Court in terms of ***Ashish Kumar's case (supra).*** This approach was also upheld by the Hon'ble Supreme Court in SLP(C) No.18363 of 2024 vide order dated 14.08.2024 and in SLP(C) No. 21347-21348 of 2024 vide order dated 17.09.2024.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the recruitment process for the post of Assistant Environmental Engineer in respondent No.3-HSPCB was decided to be carried out in three steps- screening test, subject knowledge test and interview, by respondent No.2-HPSC. In

order to be eligible for the next stage i.e. the subject knowledge test, candidates are required to secure at least 25% marks in the screening test. Clause 1(k) of the announcement dated 09.01.2024(Annexure P-4) makes it clear that the marks obtained in the screening test would not count towards final selection further highlighting that it is merely a shortlisting mechanism. However, the grievance of the petitioner pertains to the fact that the syllabus prescribed for the screening test vide impugned announcement dated 02.09.2025 (Annexure P-3), does not aid in establishing the worthiness of a candidate for recruitment to the post of Assistant Environmental Engineer. The syllabus in question is reproduced below:

> *"General Science, Current Events of National and International Importance, History of India, Indian and World Geography, Indian Culture, Indian Polity and Indian Economy, General Mental Ability (Reasoning and Analytical Abilities), Basic Numeracy (numbers and their relations, order of magnitude etc- Class-X Level), Data interpretation (charts, graphs, tables, data sufficiency, etc. Class X Level), Haryana GK- History, Geography, Polity, Economy, Culture etc."*

6. The general trend in recruitment to government jobs continues to rely heavily on bookish knowledge. The examinations conducted for this purpose tend to emphasize upon rote learning and the mechanical reiteration of facts rather than assessing critical thinking or practical problem-solving abilities. Such an approach often fails to account for creativity, adaptability, emotional intelligence and other such skills that are essential for effective administration, especially in the context of public service. It is certainly a welcome step when the

authorities responsible for recruitment look beyond the traditional norms and adopt a process that attempts to gauge a candidate's overall intelligence quotient and situational judgment. Such selection processes are more likely to appoint well-rounded public servants capable of nuanced application of the knowledge.

7. As far as the integration of general awareness into the selection criterion is concerned, this Court is of the considered opinion that the same cannot be considered irrelevant especially for posts that require interdisciplinary considerations. It is entirely justifiable to expect future public servants to have cognitive alertness, practical decision making capacity with a constitutional sensibility and a sense of civic awareness. Moreover, the very nature of the job demands that the officers are aware of scientific advancements, socio-economic trends and public policy developments to serve the people to the best of their abilities. Thus, general knowledge exams go beyond testing memory and delve into the field of analytical comprehension ensuring that the candidate can identify issues, connect diverse subjects, predict consequences and make informed decisions.

8. Further still, it is trite law that Courts must not to interfere in recruitment process when the advertisement qua the same is clear and within the legal framework. It is the prerogative of the employer to lay down an eligibility criterion as it alone can best judge suitability of a candidate for the advertised role. A two-Judge bench of the Hon'ble Supreme Court in ***Maharashtra Public Service Commission through***

its Secretary vs. Sandeep Shriram Warade and others (2019) 6 SCC 362, speaking through Justice Navin Sinha, has made the following observations in this regard:

> *"10. The essential qualifications for appointment to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference.* ***It is the employer who is best suited to decide the requirements a candidate must possess according to the needs of the employer and the nature of work. The court cannot lay down the conditions of eligibility, much less can it delve into the issue with regard to desirable qualifications being at par with the essential eligibility by an interpretive re-writing of the advertisement.*** *Questions of equivalence will also fall outside the domain of judicial review.* ***If the language of the advertisement and the rules are clear, the Court cannot sit in judgment over the same.*** *If there is an ambiguity in the advertisement or it is contrary to any rules or law the matter has to go back to the appointing authority after appropriate orders, to proceed in accordance with law. In no case can the Court, in the garb of judicial review, sit in the chair of the appointing authority to decide what is best for the employer and interpret the conditions of the advertisement contrary to the plain language of the same."*
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> *(emphasis added)*

9. The respondent-HPSC chose to make a policy modification by changing the screening test syllabus in view of the significant backlog of vacancies from the recruitment process of the year 2023. Learned counsel for the petitioner has argued against exclusion of engineering subjects from the screening test, however, a candidate does not have a vested right to be subjected to the exact same standards of the last recruitment cycle. Further, allowing candidates to instruct the

recruiting agency regarding examination pattern and eligibility criteria would have an unwarranted contagion effect, much to the detriment of all stakeholders. It must also be noted that the candidates are due to be subjected to a subject knowledge test once they qualify for it by obtaining a generous 25% marks in the screening test. A two-Judge bench of the Hon'ble Supreme Court in ***Satya Dev Bhagaur and others vs. State of Rajasthan and others (2022) 5 SCC 314*** also reiterated that Courts should not instinctively interfere in policy matters unless the same is palpably arbitrary. Speaking through Justice B.R. Gavai, the following was held:

> *"16. It is trite that the Courts would be slow in interfering in the policy matters, unless the policy is found to be palpably discriminatory and arbitrary. This court would not interfere with the policy decision when a State is in a position to point out that there is intelligible differentia in application of policy and that such intelligible differentia has a nexus with the object sought to be achieved.*
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> *17. This Court in the case of Krishnan Kakkanth v. Government of Kerala and others, (1997) 9 SCC 495 has observed thus:*
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> > *"36. To ascertain unreasonableness and arbitrariness in the context of Article 14 of the Constitution, it is not necessary to enter upon any exercise for finding out the wisdom in the policy decision of the State Government. It is immaterial whether a better or more comprehensive policy decision could have been taken. It is equally immaterial if it can be demonstrated that the policy decision is unwise and is likely to defeat the purpose for which such decision has been taken. Unless the policy decision is demonstrably capricious or arbitrary and not informed by any reason whatsoever or it suffers from the vice of*

> *discrimination or infringes any statute or provisions of the Constitution, the policy decision cannot be struck down. It should be borne in mind that except for the limited purpose of testing a public policy in the context of illegality and unconstitutionality, courts should avoid "embarking on uncharted ocean of public policy".”*

10. It would not meet the objective standards of logic and justice if the Courts step into the shoes of domain experts and substitute their conclusions with its own. The demands of the job and nature of interactions it forces can only be most accurately predicted by the employer. Therefore, the establishing screening criteria aiming at selecting all-rounded candidates cannot be held to be violative of Articles 14 and 16 of the Constitution. The same has also been accurately summarized by a Division Bench of this Court in ***Ashish Kumar’s case (supra),*** wherein speaking through Justice M.S. Ramachandra Rao, the following was observed:

> *“44. As stated in the policy dt. 05.05.2022, the Common Eligibility Test was introduced to simplify and standardise the recruitment process for Government employment to Group-C posts and Group-D posts with some exceptions mentioned therein.*
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> *45. We agree with the said view since consideration of all candidates who have obtained minimum marks in the CET for the skilled test and/or written test would have the effect of relegating the meritorious candidates, and would result in failure of the very objective of the policy particularly when large number of candidates in lakhs appeared for the CET and a substantial number of them had qualified in the CET written examination to the tune of 2,92,000 for the posts in question.*
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> *46. In our opinion, **the clause in the policy providing for shortlisting is in tune with the main objective of inducting***

meritorious candidates in Government jobs, and limiting the number of meritorious candidates by way of shortlisting would expedite the conducting of examination, evaluation and avoid unnecessary litigation by non-meritorious applicants.

47. Counsel for petitioners also pleaded that in the CET, testing was for only General knowledge and computer knowledge, but knowledge in subject was not tested; and so the securing of 70% marks therein for appearing in the skill test/written examination in the relevant subject for the post, cannot be permitted.

48. In the case of ***The University of Mysore v. C.D. Govinda Rao and Another AIR 1965 (SC) 491****, the Supreme Court held* ***it would normally be wise and safe for the Courts to leave decisions of academic matters to experts who are more familiar with the problems they face than the Courts generally can be.***

49. In ***Sanchit Bansal v. The Joint Admission Board (JAB) and Ors (2012) 1 SCC 157****, the Supreme Court held as under:*

> *"In* ***Maharashtra State Board of Secondary and Higher Secondary Education v. Paritosh Bhupeshkumar Sheth 1984 (4) SCC 27*** *it was observed thus:*
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> *"...the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working of educational institutions and the departments controlling them."*

In ***All India Council for Technical Education v. Surinder Kumar Dhawan 2009 (11) SCC 726*** *this Court held:*

> *" The courts are neither equipped nor have the academic or technical background to substitute themselves in place of statutory professional technical bodies and take decisions in academic matters involving standards and quality of technical education. If the courts start entertaining petitions*

from individual institutions or students to permit courses of their choice, either for their convenience or to alleviate hardship or to provide better opportunities, or because they think that one course is equal to another, without realising the repercussions on the field of technical education in general, it will lead to chaos in education and deterioration in standards of education. ....The role of statutory expert bodies on education and role of courts are well defined by a simple rule. If it is a question of educational policy or an issue involving academic matter, the courts keep their hands off. If any provision of law or principle of law has to be interpreted, applied or enforced, with reference to or connected with education, the courts will step in."(Emphasis Supplied)

This Court also repeatedly held that courts are not concerned with the practicality or wisdom of the policies but only illegality.

In ***Directorate of Film Festivals v. Gaurav Ashwin Jain 2007 (4) SCC 737*** *this Court held:*

"Courts do not and cannot act as appellate authorities examining the correctness, suitability and appropriateness of a policy, nor are courts ad visors to the executive on matters of policy which the executive is entitled to formulate. The scope of judicial review when examining a policy of the Government is to check whether it violates the fundamental rights of the citizens or is opposed to the provisions of the Constitution, or opposed to any statutory provision or manifestly arbitrary. Courts cannot interfere with policy either on the ground that it is erroneous or on the ground that a better, fairer or wiser alternative is available. Legality of the policy, and not the wisdom or soundness of the policy, is the subject of judicial review"

(Emphasis Supplied)

19. Thus, the process of evaluation, the process of ranking and selection of candidates for admission with reference to their performance, the process of

> *achieving the objective of selecting candidates who will be better equipped to suit the specialised courses, are all technical matters in academic field and courts will not interfere in such processes.* ***Courts will interfere only if they find all or any of the following: (i) violation of any enactment, statutory Rules and Regulations; (ii) mala fides or ulterior motives to assist or enable private gain to someone or cause prejudice to anyone; or where the procedure adopted is arbitrary and capricious. An action is said to be arbitrary and capricious, where a person, in particular, a person in authority does any action based on individual discretion by ignoring prescribed rules, procedure or law and the action or decision is founded on prejudice or preference rather than reason or fact. To be termed as arbitrary and capricious, the action must be illogical and whimsical, something without any reasonable explanation. When an action or procedure seeks to achieve a specific objective in furtherance of education in a bona fide manner, by adopting a process which is uniform and non-discriminatory, it cannot be described as arbitrary or capricious or mala fide."***
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> *50.* ***The Commission is an expert body and is competent to decide in consultation with the State departments on what subjects a candidate is to be tested for short listing. It is not the province of this Court to enter into the domain of the Commission and exercise the power vested in the Commission as this Court does not have the requisite expertise in that regard.***
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> *51. It is not the case of the petitioners that General knowledge or analytical skills tested in the CET are wholly irrelevant for appointment to the posts in question."*
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> *(emphasis added)*

11. In light of the authoritative pronouncements rendered by the Division Bench of this Court and the Hon'ble Supreme Court, this Court is of the considered view that the decision in ***Lakhan Singh's***

case (supra) is distinguishable on facts and would not govern the present controversy.

12. In view of the foregoing discussions, this Court finds no merit in the submissions advanced by learned counsel for the petitioner. The impugned action of the respondent-HPSC does not suffer from any legal infirmity warranting interference under Articles 226/227 of the Constitution of India. Accordingly, the writ petition is dismissed.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

31.10.2025
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No