

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

D.B. Civil Writ Petition No. 1621/2022

1. Madhav Singh Mehru
2. Bharat Singh Rathore
3. Chandrashekar Mehru

-----Petitioners

Versus

1. State of Rajasthan, Through Secretary Department Of Personal (A- Group-II), Jaipur.
2. Director, Public Relation Department, Secretariat, Jaipur.
3. Chairman, Rajasthan Staff Selection Board, Durgapura, Jaipur.

-----Respondents

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For Petitioner(s), : Mr. Vinay Jain  
through V.C.

For Respondent(s) : ---

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**HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI  
HON'BLE MR. JUSTICE MADAN GOPAL VYAS**

**Order**

**02/02/2022**

The petitioners have challenged the vires of rule for recruitment to the post of Assistant Public Relations Officer. The State of Rajasthan has framed the Rajasthan Public Relations Subordinate Service Rules, 1975 ('Rules', for short). As per Schedule-I to the Rules, the post of Assistant Public Relations Officer is to be filled up 100% by direct recruitment through

Rajasthan Staff Selection Board. Column-IV of the Schedule-I prescribes the qualifications for direct recruitment. Relevant portion of the Schedule reads as under:

## "@SCHEDULE-I

S.No.	Name of the post	Method of recruitment	Minimum qualification for direct recruitment	Post or posts from which promotion is to be made	Minimum qualification and experience for promotion
1	2	3	4	5	6
	Assistant Public relations officer	100% by direct recruitment from Rajasthan staff selection board.	Graduate from a recognised University or its equivalent with 3 years' experience of journalism in reputed newspaper office or in Public Relations Department of State Government or Government of India or Graduate with Diploma/Degree in Journalism. Preference will be given to persons having post graduate degree in Hindi or English	-	-

As per the Rules, thus, minimum qualification for direct recruitment to the post of Assistant Public Relations Officer is graduate from a recognized university or its equivalent with three years' experience of Journalism in reputed newspaper office or in Public Relations Department of State Government or Government of India; or graduate with diploma/degree in Journalism. Preference would be given to persons having post graduate degree in Hindi and English. The qualifications thus, come in two parts. First part pertains to graduation with three years' experience of

Journalism in specified institutions. The second part, which is alternative is graduate with diploma or degree in Journalism. According to the petitioner, the requirement of graduate is unnecessary and should be struck down.

Counsel for the petitioners vehemently contended that the Rules are framed in the year 1975 when the course of Journalism was not so prevalent. Now when many reputed institutions offer such renowned course in Journalism, the instances of the State authorities to retain graduation as minimum qualification is unreasonable. He pointed out that the principal role of the Assistant Public Relations Officer is to communicate on behalf of the Government with the press. In such role, his education in Journalism would be far more useful than graduation in any subject.

Essentially, what should be the education qualification and experience requirement for appointment to a public post are the matters to be decided by the Government authorities. As an employer, the State administration is best suited to frame its rules to fulfil the requirements of a post in question. The State authorities also have the assistance of the experts in the field in the process of framing such policy decisions. The Court in exercise of writ jurisdiction would not interfere with such decisions unless the qualifications prescribed are shown to be irrational or *mala fide* in such a way to favour a particular person or a class of persons.

Looking to the duties and responsibilities of an Assistant Public Relations Officer, if in the opinion of the Government, minimum educational qualification of graduation is necessary, we do not think that such decision can be categorized as irrational. In

exercise of delegated powers of legislation, the State Government has framed such rules, which, in our opinion, do not suffer from any illegality.

Needless to say that nothing prevented the petitioners from making a representation for revising the rules. If such representation is filed by the petitioners, it is always open to the Government to take into consideration such representation, if due to change in the circumstances, in the opinion of the Government, Rules require any modification.

The petition is disposed of.

**(MADAN GOPAL VYAS),J**

**(AKIL KURESHI),CJ**

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