IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWP No. 18521 of 2026.
Decided on : 26th October, 2026

Urmila **...Petitioner.**

Versus

State of H.P. & Ors. **....Respondents.**

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the Petitioner: Mr. Sohail Khan, Advocate.

For the respondents: Mr. L.N. Sharma, Addl. Advocate General for respondents No.1 to 4.

Jyotsna Rewal Dua, Judge.

Respondent No. 5 was selected and appointed as Part-time Multi Task Worker in Government Primary School, Shour, Education Block Pangi, District Chamba. Petitioner felt aggrieved against selection and appointment of respondent No. 5. Her appeal was dismissed by the Additional District Magistrate, Chamba, on 08.01.2024. Second appeal preferred by the petitioner was also dismissed by the Director, Elementary Education. Feeling aggrieved, petitioner has instituted this petition.

2. Heard and considered the case file.

3. The respondents-State undertook the selection process for appointing a part-time Multi-Task Worker in Government Primary School, Shour, Tehsil Pangi, District Chamba. Petitioner, respondent No. 5 along

[1] Whether reporters of the local papers may be allowed to see the judgment?

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with several other candidates, participated in the selection process. As per the result prepared on 24.06.2022 (Annexure P-4), petitioner was shown to have been selected and respondent No. 5 was first in the waiting list. In this result, petitioner was allocated 8 marks under column No. iii(a) for belonging to "widow/orphans/persons with benchmark disabilities (8 marks)". Petitioner was also allocated 5 marks for living in extreme indigent conditions. Marks allocated to petitioner and respondent No. 5 under different heads are extracted hereinafter:

					(I)	(ii)	(iii)(a)	(iii)(b)	(iii)(c)	(iv)	(v)	(vi)		
Sr. No.	Name of Candidate Sh./Smt./Kumari	Father/ Husband Name Sh.	Permanent Home Address Vill.. P.O.... Distt.	Date of Birth	Distance same Ward/ Other Ward/ Gram Panchayat Urban Local body (8-6-2-Marks	Educational Qualification 5th & 8th (5-8 Marks)	Widows/ Orphans/ persons with Benchmark Disabilities (8-8 Marks)	Person living in extreme indigent condition (5 Marks)	Women deserted by Husband (3 Marks)	Whose families have donated land for school (8 Marks)	Candidates Belonging to SC/ST/ OBC/BPL (3 Marks)	Candidates Belonging to Unemployed Families (3 Marks)	Total Marks (38)	Remarks
2.	Urmila	Tilak Raj	Vill. Shour, P.O. Purthi, Teh. Pangi, Distt.	28-9-1988	8	5	8	5	-	-	3	3	32	Selected

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			Chamba, H.P.											
6.	Chatter Singh	Hari Nath	Vill. Shour, P.O. Purthi, Teh. Pangi, Distt. Chamba, H.P.	20.12.1990	8	8	8	-	-	-	3	3	30	1st Waiting

The respondents noticed inadvertent allocation of marks to the petitioner under different heads. Accordingly, a notice/office order was issued by the respondent-officials on 27.06.2022 clearly stating that some deficiencies had been noticed while making recommendations dated 24.06.2022 and that merit would be redetermined on the basis of documents already submitted by the candidates. In this manner, the revised merit list was prepared and circulated accordingly on 15.07.2022 (Annexure P-6). In the revised merit list, 5 marks allotted to the petitioner for living in extreme indigent conditions were deleted from her total tally. Consequently, petitioner now stood at 27 marks instead of previously allotted 32 marks. Respondent No. 5, with no change in his total tally of marks i.e. 30, was declared selected and appointed as part-time Multi-Task Worker.

4. Learned counsel for the petitioner urged two grounds which were raised before the two authorities below:- (i) deletion of 5 marks from

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petitioner's score for living in extreme indigent condition was not appropriate. It was contrary to the scheme of allotment of marks notified vide Annexure P-2; (ii) The revised merit list had not been signed by member of School Management Committee.

4(i). Petitioner's first contention that she was entitled to 5 marks for belonging to indigent family is incorrect. The selection criteria prescribed under Part-Time Multi-Task Worker Policy, 2020, goes as under:

> *"7. Selection Criteria/Marks (as amended upto date)*
>
> *i) The selection committee shall judge the suitability of the candidates purely on merit. The Chairman/Member Secretary of the committee will keep complete record of the selection process.*
>
> *ii) The selection committee shall hold counseling by calling all the eligible candidates.*
>
> *iii) Preference will be given to candidates who are from families without any member in Govt. service.*
>
> *iv) The selection will be purely specific to a particular school only.*
>
> *v) In the selection process marks shall be awarded to the candidates out of 38.*
>
> *The distribution of marks shall be as under:-*

i.	*Distance from Schools* *(Certificate to be issued by Panchayat Secretary of the concerned Gram Panchayat for rural areas and Executive Officer of Urban Local Bodies for urban areas)*	*(08 Marks)*
	For candidates: *(a) From the same ward of the Gram Panchayat/Urban Local Body in which school is situated*	*08 Marks*

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	(b) From the other wards of the Gram Panchayat/Urban Local Body in which school is situated	*06 Marks*
	(c) From the adjoining contiguous Gram Panchayat/Urban Local Body in which school is situated	*02 Marks*
ii.	*Education Qualifications*	*(08 Marks)*
	If Class 5th passed	*05 Marks*
	If Class 8th passed	*08 Marks*
iii.	*Allocation to various categories:*	*(08 Marks)*
	(a) Widows/Orphans/persons with benchmark disabilities	*08 Marks*
	(b) Person living in extreme indigent conditions	*05 Marks*
	(c) Women deserted by husbands	*03 Marks*
iv.	*For candidates whose families have donated land for school*	*08 Marks*
v.	*Candidates belonging to SC/ST/ OBC/BPL*	*03 Marks*
vi.	*Candidates belonging to unemployed Families*	*03 Marks*
	Total	*38 Marks"*

Clause 7 iii provides a maximum of 8 marks {Clause 7 iii(a)} and a minimum of 3 marks {Clause 7 iii (c)}. It is clearly evident from the merit list that petitioner had been awarded 8 marks for being a widow. She, having been allotted maximum 8 marks, could not have been allotted any further marks under clause 7 iii. It has to be borne in mind that total

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marks that can be allotted to a candidate are 38. In case petitioner is to be allotted 8 marks for being a widow and 5 separate marks for living in indigent conditions, her total tally of marks would become 13 out of 8, reserved under clause 7 iii which would be impermissible in law. Both the authorities below, therefore, did not commit any error in not accepting petitioner's contention for her entitlement to 5 additional marks for living in indigent conditions.

4(ii). Insofar as petitioner's second assertion about absence of signature of SMC member in the result sheet is concerned, the authorities below were justified in observing that this would not have any bearing in the selection process as the marks had been allotted to the candidate based upon the documents already furnished by them as verified by the Committee. It is not even the case of the petitioner that she has wrongly not been allotted any marks due to her in terms of the selection criteria, save and except her first contention, which has been rejected. In the given facts and circumstances when revised merit list has been prepared in accordance with law and signed by other two members, the non signing of the same by member of the SMC is a mere irregularity that does not affect the selection process/result.

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For the foregoing reasons, I do not find any merit in this writ petition and the same is dismissed. Pending applications, if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

26th October, 2026.
(jai)

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