

J. Rajitha vs The State Of Telangana And 4 Others on 21 May, 2026

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION NO.27814 OF 2019

AND

WRIT PETITION NO.27205 OF 2019

DATED : 21.05.2026

W.P.No.27814 of 2019:

Between:

J.Rajitha

... Petitioner

AND

The State of Telangana, rep. by its Principal
Secretary, MA and UD Department,
Secretariat Buildings, Hyderabad and others

... Respondents

COMMON ORDER

In both the Writ Petitions, the challenge is to non-selection of the candidature of the petitioners to the posts of Sanitary Inspector / Health Assistant in terms of the results declared by Telangana State Public Service Commission (TSPSC), respondent No.3 in W.P.No.27814 of W.P.Nos.27814 & 27205 of 2019 2019 and respondent No.1 in W.P.No.27205 of 2019, on 30.05.2019 pursuant to the selections made under Notification No.19/2018 dt.27.07.2018, as illegal and arbitrary and consequently to direct the respondents to declare the petitioners as selected for the said posts and appoint them as Sanitary Inspector / Health Assistant in any municipality and to pass such other order or orders.

2. Brief facts are that the petitioner in W.P.No.27814 of 2019 claims to have passed B.Sc. (BZC) in 2011 and also possesses Public Health and Sanitation Technology Certificate from Bethesda Institute of Health Sciences, Visakhapatnam during the year 2012, while the petitioner in W.P.No.27205 of 2019 is a BC-A candidate and is physically challenged and claims to possess the prescribed qualifications for the Sanitary Inspector post. He also possesses the certificate from Bethesda Institute of Health Sciences, Visakhapatnam in Public Health and Sanitation Technology. Both the petitioners have applied for and participated in the selection process and the petitioner in

W.P.No.27814 of 2019 secured State Rank No.7 for the post of Health Assistant and first rank in women quota with 85.123 marks out of 150 marks and for the post of Sanitary Inspector, she secured 12th rank in the State and first rank in the women quota. The petitioner in W.P.No.27205 of 2019 W.P.Nos.27814 & 27205 of 2019 secured 124th rank. The petitioners were called for certificates verification and on the ground that Bethesda Institute of Health Sciences, Visakhapatnam is not a recognized Institute and that they do not possess the necessary qualification, their cases were not considered for appointment. Challenging the same, the present Writ Petitions are filed.

3. Learned counsel for the petitioners has drawn the attention of this Court to the Notification No.19/2018 and also Notification No.20/2018 dt.27.07.2018 to demonstrate the prescribed qualifications. The prescribed qualification for the post of Sanitary Inspector in Notification No.19/2018 dt.27.07.2018 is as under:

Post Educational Qualifications as specified by the Name of the Post Code G.O.Ms.No.84, MA&UD (G1) Dept., Dt:14/02/2012.

(i) Must possess a Bachelor's Degree in Biological Science from any University in India or incorporated by or under Central Act, Provincial Act, or a State Act or an Institution recognized by the UGC or an equivalent qualification.

01 Sanitary Inspector

(ii) Sanitary Inspector Training Course certificate awarded by the Chairman, Board of Examinations constituted by the Government of Telangana or from Government of India / Government of Telangana Recognized Institution.

W.P.Nos.27814 & 27205 of 2019 The qualification prescribed for the post of Health Assistant in Notification No.20/2018 is as under:

Post Educational Qualifications as specified by the Code Name of the Post G.O.Ms.No.84, MA&UD (G1) Dept., Dt:14/02/2012 and G.O.Ms.No.161, MA&UD Dept., Dated:01/06/2016.

(i) An Intermediate with Biological Science or 10+2 equivalent standard Biological Science as one of the subjects.

(ii) A pass certificate in Multi Purpose Health 01 Health Assistant Assistant Training Course / Sanitary Inspector Training Course certificate awarded by the Chairman, Board of Examinations constituted by the Government of Telangana or from Government of India / Government of Telangana Recognized Institution.

It is submitted that both the petitioners possessed the certificates from an Institute recognized by the Government of Telangana / Andhra Pradesh and therefore, their

cases ought to have been considered for appointment.

4. In the counter affidavit filed by TSPSC, it is stated that the petitioners have obtained training certificates in Public Health and Sanitation Technology from Bethesda Institute of Health Sciences, Visakhapatnam which has not been recognized by Andhra Pradesh Para Medical Board. It is submitted that the qualifications have been W.P.Nos.27814 & 27205 of 2019 prescribed by the concerned Department to the post, which is the competent authority to prescribe such qualification and the respondents or this Court cannot interfere with the same. Learned Standing Counsel for TSPSC also submitted that the Hon'ble Supreme Court in Civil Appeal No.4597 of 2019 has held that the essential qualifications for appointment to a post are for the employer to decide and the employer may prescribe additional qualifications. It is submitted that TSPSC has no role to change / include the qualifications and training course since such matters are governed by the Special Rules / Service Rules prescribed by the Government. It is further submitted that in order to verify the certificates submitted by the candidates, subject Expert Committee was constituted, who has examined the applications of the candidates and submitted the report to the Public Service Commission and the Commission has considered the petitioners' training certificates obtained from Bethesda Institute of Health Sciences, Visakhapatnam and the case of the petitioner in W.P.No.27814 of 2019 was not considered because she has studied Public Health and Sanitation Technology instead of Sanitary Inspector Training Course / Multi Purpose Health Assistant Training Course Certificate prescribed by the Department.

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5. In the counter affidavit filed by TSPSC in W.P.No.27205 of 2019, it is stated that the petitioner in W.P.No.27205 of 2019 has obtained training in the course of Public Health and Sanitary Technology as against the prescribed Sanitary Inspector training course / Multi Purpose Health Assistant training course certificate.

6. Learned Standing Counsel for TSPSC has filed a copy of memo dated .01.2020, wherein the petitioner in W.P.No.27814 of 2019 was informed about rejection of her candidature as she did not pass necessary and prescribed qualification for the post of Sanitary Inspector. Similarly, a copy of memo dt.04.01.2020 is also filed in the case of the petitioner in W.P.No.27205 of 2019. A copy of the proceedings of the Committee is also filed along with the memo.

7. In respect of the petitioner in W.P.No.27205 of 2019 in the counter affidavit, it is stated that the petitioner therein has obtained training course of Public Health and Sanitation Technology as against the prescribed Sanitary Inspector training course / Multi Purpose Health Assistant training course certificate.

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8. The petitioner in W.P.No.27205 of 2019 has filed reply affidavit on 18.02.2026 stating that Bethesda Institute of Health Sciences, Visakhapatnam is a recognized Institute by Government of India vide G.O.Ms.No.84, Health, Medical and Family Welfare (J2) Department, dt.26.03.2002 and

that the Government of Telangana also has adopted the said qualification vide G.O.Ms.No.161, Municipal Administration and Urban Development (D2) Department, dt.01.06.2016. The copies of the said G.Os., are also filed along with the reply affidavit. As regards the contention of the respondents that the petitioners did not possess the necessary and prescribed qualification, it is submitted that vide G.O.Ms.No.84 dt.26.03.2002, the rules were amended by adding certificate of Public Health and Sanitary Technology awarded by Bethesda Institute of Health Sciences, Visakhapatnam as one of the qualifications to the post of Health Assistant in addition to the earlier prescribed qualification. It is submitted that the Government had issued G.O.Ms.No.23 dt.23.01.2008 derecognizing the qualification awarded by Bethesda Institute of Health Sciences, Visakhapatnam and aggrieved by the same, Bethesda Institute of Health Sciences, Visakhapatnam filed W.P.No.1790 of 2008 and interim order of suspension of the proceedings was granted and thereafter, the Government also issued W.P.Nos.27814 & 27205 of 2019 G.O.Rt.No.219 dt.21.06.2008 omitting the certificates of Bethesda Institute of Health Sciences, Visakhapatnam from the rules and aggrieved by the same, another Writ Petition in W.P.No.15722 of 2008 was filed and this Court has granted interim suspension of the said G.O. on 22.07.2008 and thereafter, the Government also issued G.O.Ms.No.30 dt.09.02.2012 and the consequential memo dt.27.02.2013 permitting Bethesda Institute of Health Sciences, Visakhapatnam to impart training, subject to the outcome of W.P.No.1790 of 2008. It is submitted that the said Writ Petition is pending as on the date of filing of the reply affidavit. It is submitted that based on the interim orders of the High Court, the Government of Andhra Pradesh has issued instructions to the candidates to register their names in Para Medical Board vide memo dt.27.02.2013 and several of the candidates have been promoted as Sanitary Inspectors on the very same qualification by the Government. As regards the Expert Committee report, it is stated that the Expert Committee has not examined the certificates of the petitioners and the comment of the Committee is vague and non-speaking. Therefore, according to the petitioners, their case was rejected mechanically without any basis and as contrary to rules. Enclosed is a copy of the information received by W.P.Nos.27814 & 27205 of 2019 him under the Right to Information Act to submit that the persons with the very same certificates have been considered and they have not only been appointed but also promoted as Health Assistants based on the educational qualification, seniority, caste, etc. Therefore, he seeks a direction to the respondents to consider the case of the petitioner in W.P.No.27205 of 2019 for appointment as Health Assistant or Sanitary Inspector, as the case may be.

9. Having regard to the rival contentions and the material on record, this Court finds that the only issue to be considered in this case is whether the petitioners possess necessary qualification and whether the certificate granted by Bethesda Institute of Health Sciences, Visakhapatnam is a valid one. As noted above, necessary qualification has been prescribed by the Department and it is the prerogative of the employer to prescribe necessary qualification. The prescribed qualification for the post of Sanitary Inspector is Sanitary Inspector training course certificate and for the post of Health Assistant, it is Multi Purpose Health Assistant training course / Sanitary Inspector training course in addition to possessing necessary graduation certificate. The petitioner in W.P.No.27814 of 2019 as well as the petitioner in W.P.No.27205 of 2019 possessed the certificates in Public Health and W.P.Nos.27814 & 27205 of 2019 Sanitation Technology from Bethesda Institute of Health Sciences, Visakhapatnam. By virtue of the orders of this Court, the certificates issued by the said Institute are valid. The only issue is whether the certificate in Public Health and Sanitation Technology can be

considered to be equivalent to the certificate in Sanitary Inspector Training/Multi-Purpose Health Assistant Training? The Expert Committee appears to have examined the certificates of the petitioners herein and have held that the petitioners do not possess the prescribed qualification. The reasons for coming to such a conclusion are missing from the report. It is not known as to whether it is rejected because of non-recognition of the Institute or it is for not possessing the necessary qualification. As seen from the letter issued by the Government of Telangana vide Letter No.J/D/607/2025 dt.28.10.2025, as per the available records and information furnished, the National Classification of Occupations (NCO-2015) lists, the course 'Public Health & Sanitation Technology' under Code 089.30 is the same as that of the 'Sanitary Inspector' course i.e., 089.30 and hence, both courses are treated as the same as per the NCO codes issued by the Government of India. It is further submitted that the TSPSC is not the competent authority to decide on eligibility criteria for any post, qualification W.P.Nos.27814 & 27205 of 2019 and/or eligibility criteria and the same are decided by the respective departments as per the job chart and service rules of that department. Therefore, it appears that the certificates possessed by the petitioners are for the very same course of Sanitary Inspector and therefore, they ought to have been considered by TSPSC and at least TSPSC ought to have sought a clarification thereon. As submitted by the learned counsel for the petitioners that initially Bethesda Institute of Health Sciences, Visakhapatnam has been derecognized and the said de-recognition has been suspended by the interim orders of this Court in W.P.No.1790 of 2008 and the interim orders are still subsisting and therefore, the certificates issued by the said Institute have to be considered to be valid and cannot be disregarded.

10. In view of the above, this Court is inclined to set aside the impugned Memos No.556/Rectt-pool-II/3/2015 dt. 01.2020 and dt.04.01.2020 issued by Telangana State Public Service Commission, Hyderabad and the respondents are directed to reconsider the case of the petitioners for appointment in the available vacancies with all consequential benefits.

11. The Writ Petitions are accordingly allowed. No order as to costs.

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12. Pending miscellaneous petitions, if any, in these Writ Petitions shall stand closed.

JUSTICE T. MADHAVI DEVI Date: 21.05.2026 Svv