

**HIGH COURT OF MADHYA PRADESH: BENCH AT  
INDORE  
W.P. No.26188/2019  
Satish Vs. M.P. Public Service Commission**

**Indore, dated 06.12.2019**

Parties through their counsel.

The petitioner before this Court has filed this present petition being aggrieved by the advertisement issued by the M.P. Public Service Commission i.e. State Civil Services Examination, 2019.

The petitioner's contention is that for the purposes of computation of the age of an applicant, the cut-off date is fixed as 01.01.2020, his contention is that it should have been 01.01.2019. Learned counsel has stated that in other advertisement issued by Union Public Service Commission, the cut-off date has been fixed in a different manner. In a case, the examination is going to be held in the year 2019, the cut-off date fixed is of the year 2018.

On the other hand, Shri Khare, learned counsel for the respondent on advance notice has drawn the attention to this Court towards the Rules framed by the Governor in exercise of powers conferred by the proviso to Article 309 of the Constitution of India. The rules are known as M.P. State Service Commission Rules 2015. The rules provides for eligibility conditions. Rule 6 of the Rules 2015 reads as under :-

**“Eligibility Conditions:- (1) Nationality –** The candidate must be a citizen of India.

**(2) Minimum educational qualification -** Irrespective of any provision in this regard in the Recruitment Rules of the posts notified in these Rules, the educational qualification will be as under:

Candidate must hold a bachelor degree of any

of the universities or educational institutions incorporated by any Central act or any State Act or universities deemed under University Grant Commission Act, 1956 (No.3 of 1956) or possesses an equivalent qualification.

**Note-1.** Candidates who have appeared in an examination, after passing of which would render them educationally eligible for the Commission's examination but result is not declared, and also the candidates who intend to appear in such qualifying examination will also be eligible for admission to the Preliminary Examination. All such candidates who are declared qualified by the Commission for appearing in the State Services (Main) Examination will be required to pass their Bachelor degrees/ equivalent qualifying examination on or before the last date of the form submission of main examination. The Candidates, who have not passed their Bachelor degree / equivalent qualifying examination on or before the last date of submission of application for the Main examination, will not be eligible to apply for the Main examination. It is compulsory to produce mark sheet of Qualifying Examination alongwith "Attestation Form" before Interview."

**Note-2.** Candidates possessing professional or technical qualifications. Which are recognized by the State Government as equivalent to professional or technical degree, will also be eligible for admission to the examination.

**(3)Age –** (a) Irrespective of any provision in this regard in the Recruitment Rules of the posts notified in these Rules the lower and upper age limits will be as per the notifications of the General Administration Department issued from time to time.

Provided that the lower and upper age limits for Home (Police) Department, Jail Department, Transport Department and Excise Department will be governed as per the provisions of their Recruitment Rules.

Age calculation will be done with reference to next 1<sup>st</sup> January after notification of advertisement."

Rule 6(3) proviso provides that the age calculation will be done with reference to next 1<sup>st</sup> January after

notification of the advertisement. The advertisement in the present case has been issued on 09.12.2019, and therefore, the age calculation will have to be done with reference to 01.01.2020 keeping in view the statutory rules, and therefore, this Court does not find any reason to interfere with the advertisement issued by the respondents. Resultantly the admission is declined.

Certified copy, as per rules.

**(S.C. Sharma)**  
**Judge**

*vibha*