



CONSTITUTIONAL LAW

Eligibility Means What the Rules Prescribe: Santosh B. Naik v. State of Goa & Ors.

The Supreme Court held that a NIOS Class 10 certificate did not satisfy a Goa recruitment rule requiring a pass in 10th standard “under 10+2 system of education”, and that a higher written-exam score cannot cure ineligibility.

AUTHOR Neeraj Golani

PUBLISHED 16 October 2026

Table of contents

- [Introduction](#)
- [Facts and Background](#)
- [Issue and Submissions](#)
- [The Court's Analysis](#)
- [Merit Cannot Cure Ineligibility](#)
- [Judgment and Directions](#)
- [Legal Significance](#)
- [Conclusion](#)

Introduction

In *Santosh B. Naik v. State of Goa & Ors.*, the Supreme Court considered how far a court can interfere with qualifications prescribed by a recruiting authority. The dispute concerned the post of Vocational Instructor (Practical) in the Plumber trade under the Government of Goa. The question was whether a Secondary School Certificate from the National Institute of Open Schooling (NIOS) satisfied a condition requiring a candidate to have “passed 10th standard under 10+2 system of education.” The Court distinguished general recognition of a qualification from compliance with the specific qualification prescribed for a post, and held that eligibility must be judged by the precise wording of the Recruitment Rules and the advertisement.

Facts and Background

The Directorate of Skills Development and Entrepreneurship advertised the post on 5 November 2021 under Recruitment Rules notified on 20 April 2006. These required a pass in 10th standard under the 10+2 system, a National Trade or Apprenticeship Certificate, and five years of industry experience. The appellant and Respondent No. 3 applied. In the written examination of 9 November 2022, Respondent No. 3 scored 96 marks and the appellant 94. Selection was subject to document verification. The Departmental Selection Committee found Respondent No. 3 ineligible because his certificate came through NIOS. The appellant was selected and accepted the post. The [Bombay High Court](#) at Goa accepted Respondent No. 3's argument that NIOS is a recognised qualification, quashed the Committee's decision and directed that he be considered in light of his higher marks.

Issue and Submissions

The issue was not whether NIOS is a recognised qualification, but whether it met the exact eligibility condition for this post. The appellant argued that the words “under the 10+2 system” were deliberately included given the technical nature of the post. The State supported the Committee, stressing that the Rules contained no equivalence clause. Respondent No. 3 relied on NIOS's recognition, his higher marks, and the absence of any express exclusion of open-schooling candidates.

The Court's Analysis

Relying on *Zahoor Ahmad Rather*, *Unnikrishnan C.V.*, *Shifana P.S.* and *Sandeep Shriram Warade*, the Court held that prescribing essential qualifications lies primarily with the recruiting authority, and judicial review cannot rewrite them. The words “under 10+2 system of education” were integral to the qualification and could not be ignored. Not every recognised Class 10 qualification automatically qualifies. A qualification recognised for general purposes need not satisfy every post-specific requirement, and these Rules had no clause treating equivalent qualifications as sufficient. The academic requirement formed part of a framework (trade certification and industry experience) designed for a technical teaching post. The Department had taken the same view of a National Open School qualification in its 2015 recruitment. Though not binding, this showed the interpretation was not adopted to exclude Respondent No. 3.

Merit Cannot Cure Ineligibility

Recruitment operates in two stages: a candidate must first satisfy the mandatory eligibility requirements, and only then is comparative merit assessed. Respondent No. 3's two-mark lead therefore could not cure his failure to meet an essential qualification.

Judgment and Directions

The Court held that the Committee rightly found Respondent No. 3 ineligible and that the High Court erred in interfering. It set aside the High Court's judgment of 11 January 2024 and Respondent No. 3's consequent appointment, and restored the Committee's decision of 23 March 2023 along with the appellant's temporary appointment, subject to the applicable service conditions.

Legal Significance

The judgment reinforces judicial restraint in [recruitment matters](#), since the rule-making authority is ordinarily better placed to decide what a post requires. It also stresses giving effect to every material word in Recruitment Rules and advertisements. At the same time, the Court did not hold NIOS qualifications invalid, inferior or unrecognised; its conclusion is confined to these Rules and this advertisement. Recognised qualifications remain valid for the purposes for which they are recognised, but a candidate for [public employment](#) must also meet the conditions specific to the post. Where the rules prescribe a particular qualification and provide no equivalence, a court cannot ordinarily create one.

Conclusion

This judgment is a clear statement that eligibility is determined by the Recruitment Rules as written, not by a broader notion of equivalence, and that examination merit cannot substitute for a mandatory qualification. It protects the integrity of recruitment by ensuring that the criteria announced to candidates are applied consistently and not expanded retrospectively through judicial review. Its ratio is best read as a rule of construction: where a specific qualification is prescribed, its precise language, context and purpose govern eligibility, without deciding the validity or equivalence of NIOS qualifications under other rules or for other purposes.