

permissible for the State Government to prescribe different qualification than the one which is prescribed by CCIM.

3. It would be relevant to refer the qualification prescribed by CCIM for the post of Professor.

(i) **ESSENTIAL:**

a) A degree in Ayurved from a University established by law or a statutory Board/Faculty/Examining Body of Indian Medicine or its equivalent as recognized under Indian Medicine Central Council Act, 1970.

b) A Post-graduate qualification in the subject/specialty concerned included in the schedule to Indian Medicine Central Council Act, 1970.

(ii) **EXPERIENCE:**

a) **For the post of Professor:**

Total teaching experience of **ten** years in concerned subject is necessary out of which there should be five years teaching experience as Reader/Associate Professor in concerned subject.

4. The Respondent-State in addition to the aforesaid qualification provided that the Applicant must have adequate knowledge of English, Marathi, Sanskrit and Hindi languages. The Petitioners are aggrieved with the said condition.

5. The Apex Court in the case of **State of Tamil Nadu and Anr. Vs. Adhiyaman Educational and Research Institute and Ors.** reported in (1995) 4 S.C.C. 104 has held that it is for the Central Council to prescribe the minimum qualification. However, at the same time it has been held that if the State Government prescribes their qualification better than the one which is prescribed by CCIM then the same is permissible. The only prohibition is that the State cannot prescribe a qualification which is lower than the one prescribed by CCIM.

6. In the present case we find that whatever is minimum qualification prescribed by CCIM, has also been prescribed by the State Government. However, an additional requirement is also provided. We find that the same is permissible in view the law laid down by the Apex Court. Hence, no merit is found in the Petition. Petition is dismissed.

[RIYAZ I. CHAGLA J.]

[B.R. GAVAI, J.]