

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26540 OF 2017

O R D E R :

It is the case of the petitioner that he completed B.Sc., Agriculture from S.V.Agricultural College and later completed MBA, two years full time course and thereafter, Ph.D from SV University, Tirupathi (full time) with course work. While so, the 2nd respondent issued a notification vide Advt.No.5/RC/2016, dated 25.09.2016, inviting applications for the cadre post of Associate Professor and Assistant Professor. As per the said notification, only one post is earmarked for OC General for Assistant Professor for Agricultural Business Management. As per the eligibility specified in the said notification for the post of Assistant Professor for Agricultural Business Management, the candidate must possess a Bachelor Degree in Agriculture and a Master Degree in Agriculture Management/Business Administration with at least 55% marks or its equivalent grade. The NET can be exempted for the candidates holding Ph.D degree, provided it has been done with course work as prescribed by the UGC Regulations, 2009. Pursuant to the said notification, the petitioner submitted application duly complying with all mandatory requirements including submitting the educational qualification certificates. Thereafter, interview was held on 29.07.2017 for the post of Assistant Professor for Agricultural Business Management, but the petitioner has not received the interview call letter on par with others though he

possess requisite qualifications. Subsequently the petitioner came to know that the 2nd respondent committed various irregularities in the process of issuance of interview call letters to the eligible candidates only to accommodate the persons of their choice and that the 2nd respondent without following the UGC guide lines, proceeded with the interview for recruitment to the post of Assistant Professor for Agricultural Business Management. The petitioner also came to know that the interviews pursuant to the notification dated 25.09.2016 are still going with regard to other posts which comes to an end by 10.08.2017 and the respondent No.2 would release the selection list later. Aggrieved by the action of the 2nd respondent in not issuing the interview call letter to the petitioner in spite of submitting all the relevant educational qualification certificates as required in the recruitment notification, present writ petition is filed.

The 2nd respondent filed two counter affidavits on 16.08.2017 and on 21.08.2017. It is stated in the counter affidavit filed on 16.08.2017 that as per the notification the candidate has to submit two full length publications having NAAS rating not less than four on the last date of submission of application; and that the journals submitted by the petitioner is not equal to that of the two full length publications having NAAS rating not less than four; and as such the petitioner is ineligible

to consider for the post of Assistant Professor as per the eligibility criteria notified in the notification dated 25.09.2016.

The 2nd respondent stated in the counter submitted on 21.08.2017 that after verifying the notification in the University website, this respondent noticed a typographical error in the first paragraph of the detailed instructions, as such, the University has made a correction and replaced the new notification in the place of old notification immediately.

Learned counsel for the petitioner submits that qualifications prescribed for the post of Assistant Professor for Agricultural Business Management is Bachelor Degree in Agriculture and a Master Degree in Agriculture Management/Business Administration with atleast 55% marks or its equivalent grade; and that the petitioner obtained Bachelor degree in Agriculture and Masters Degree in Agricultural Business Management. Though petitioner possesses both degrees and completed his Ph.D, petitioner was not issued hall ticket without any reason.

Sri G.Bhaskar, learned Standing Counsel for the 2nd respondent University submits that since the detailed instructions are part of notification and since there was an error in the notification published at the first instance, the same was rectified; and that as the petitioner did not possess the

qualifications prescribed in the detailed instructions, he was not called for interview.

In this case it is to be seen that as per notification, the qualification prescribed for the post of Assistant Professor for Agricultural Business Management is only Bachelor's Degree in Agriculture and Master's Degree in Agricultural Business Management/Business Administration with atleast 55% marks or its equivalent grade. The assertion of petitioner that he is having those qualifications along with Ph.D, is not disputed in the counter affidavit. But the only defence that has been taken by the respondents is that as there was an error in the notification issued at the first instance on 25.09.2016, the same was corrected. But, in the counter affidavit submitted by the 2nd respondent on 16.08.2017 there was no mention that the said instructions were modified. Moreso, column regarding qualifications does not contain what is contained in the detailed instructions. When exactly error was corrected is not mentioned and notification appears to be vague.

In view of the same, I do not see any justification in not issuing call letter to the petitioner. Accordingly, the writ petition is disposed of directing the respondents to issue call letter to the petitioner and to conduct interview to the petitioner for the post of Assistant Professor for Agricultural Business Management. If petitioner comes up in the zone of consideration along with other candidates take further action as per UGC guidelines-2009. The

respondents are further directed not to declare the results till petitioner's case is considered. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

29.08.2017
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