

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.41198 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Standing Counsel for respondents 2 to 4.

2. It is the case of the petitioners that they have completed Bachelor of Technology in Food Technology Degree from Acharya N.G.Ranga University, Rajendranagar, Ranga Reddy District of Telangana in the year 2012. Thereafter, they have completed M.Tech in Food Technology from Sam Higginbottom Institute of Agriculture Technology & Science, Allahabad, in the year 2014. They have completed Agricultural Scientists Recruitment Board, National Eligibility Test (NET), New Delhi, in the month of December, 2015. While so, the second respondent issued a notification for filling up of post of Assistant Professors cadre on 19.08.2017 and they applied to the post of Assistant Professor within the prescribed date. When their results were not declared and the respondents went ahead with the selection process, the present Writ Petition was filed.

3. A counter-affidavit was filed on behalf of the respondents stating that the petitioners have complied with the eligibility requirement insofar as Bachelors Degree is concerned. However, with regard to Masters Degree, they do not possess P.G.Degree from any of the institutions mentioned in the eligibility criteria. The respondent-University is not bound by the eligibility criteria fixed by other Universities and qualifications were prescribed after approval of academic council of the University. The Council is the

competent authority to prescribe the eligibility criteria for appointment to the post of Assistant Professors. Interviews for Food Process Technology were concluded on 04.12.2017. Since the petitioners have not complied with the eligibility criteria, they were not called for interview.

4. As per the notification in respect of Food Process Technology, one post was reserved for open category, one post for SC (W) and one post for BC (C). It was advertised accordingly. The requisite qualification for Food Process Technology and Food Process Engineering is as follows:

- “4) Food Process Technology 5) Food Process Engineering
- (i) A four years Bachelor’s Degree in Food Science/Food Technology/Food Science & Technology from any State Agricultural University/Central Agricultural University/Central University with Agriculture Faculty/ICAR Deemed University/IIT’s
- (ii) A Master’s degree in the subject (discipline) concerned with at least 55% marks or its equivalent grade from any State Agricultural University/Central Agricultural University/Central University with Agriculture Faculty/ICAR Deemed University/IIT’s.”

Apart from that all the candidates were required to be qualified in NET in the subject concerned along with one publication in NAAS rated referred journal on the date of notification.

5. It is admitted by learned counsel for the petitioners that the petitioners did not obtain Masters Degree from the State Agricultural University and they did not qualify in NET examination. He submits that the Degree obtained by them was recognized by University Grants Commission and in the absence of any NET in the discipline concerned, it should not be insisted.

But, this Court cannot modify the qualification prescribed by the University for appointing teaching staff. It is also stated that the academic Council, which is a competent body, had approved the qualifications.

6. In view of the same, this Court cannot hold that different qualification is equivalent to the qualification mentioned in the notification or other people, who are not qualified as per the conditions of notifications, can participate in the selection process.

7. In the circumstances, the Writ Petition is dismissed. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



A.RAMALINGESWARA RAO, J

JANUARY 04, 2018
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Date: 04.01.2018

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