

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2538 of 2020**

- Dr. Sudhir Kumar Jaiswal S/o Shri Shashi Bhushan Jaiswal Aged About 33 Years R/o At Present C/o Ajay Chaturvedani, Plot No. 11, Vidyut Nagar, Durg, Tahsil And District Durg, Civil And Revenue District Durg Chhattisgarh. ---- **Petitioner**

Versus

- The Indra Gandhi Krishi Vishwavidyalaya Through Vice Chancellor Krishak Nagar, Raipur, District Raipur Chhattisgarh.
- The Registrar Indra Gandhi Krishi Vishwavidyalaya, Krishak Nagar, Raipur, District Raipur Chhattisgarh. ---- **Respondents**

For Petitioner : Mr. Manoj Kumar Sinha, Advocate.
For respondent : Mr. D.N. Prajapati, Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order****27-08-2020**

1. Heard.
2. Challenge in this writ petition is to the rejection of the candidature of the petitioner on the ground that he does not possess the requisite Degree of Livestock Production and Management as a major subject.
3. Learned counsel for the petitioner would submit that pursuant to the advertisement dated 14-11-2019 (Annexure P/5) the petitioner applied for the post of Livestock Production and

Management under general category as also under OBC as the petitioner was entitled to apply under both of them. It is further contended that in the advertisement dated 14-11-2019 (Annexure P/5) no-where prescribed the fact that Livestock Production and Management subject should be a major subject, whereas the petitioner is holder of Master's Degree in Veterinary Science with major subject in Poultry Science and minor subject of Livestock Production and Management. He would further submit that Annexure P/4) would also show that the petitioner is in hold of National Eligibility Test (NET) in the Poultry Science conducted by the National Council of Agricultural Research, New Delhi, therefore, the rejection of the candidature of the petitioner would be illegal and contrary to the advertisement.

4. *Per contra*, learned counsel for the respondents would submit that the Livestock Production and Management and Poultry Science are two distinct subjects. He would further submit that Livestock Production and Management subject is providing study of daily production and management whereas the Poultry Science is only related to poultry farm.
5. Perusal of the degree of the petitioner would show that he has Bachelor Degree in Veterinary Science & Animal Husbandry obtained by Annexure P/1 and Annexure P/2 is the Master's Degree which purports that the petitioner is holder of Degree of Master of Veterinary Science with major subject of Poultry

Science and minor subject of Livestock Production and Management which is of 2015. Provisional Degree certificate also laments the same fact. The document placed in the petition would show that though the Ministry of Agriculture (Department of Animal Husbandry, Delaying and Fisheries), Veterinary Council of India, has framed regulation for minimum standards of Veterinary Education -Degree Course which is named as minimum standard of Veterinary Education/Degree Course (B.V.Sc. & A.H) Regulations 2008 (hereinafter referred to as “Regulations 2008”) In the said notification, the subjects in the B.V.Sc and Degree Course are shown as under:

“40 (2) Subjects to covered in the B.V.Sc & A.H. Degree Course.

1.	Veterinary Anatomy
2.	Veterinary Physiology and Biochemistry
3.	Veterinary Pharmacology and Toxicology
4.	Veterinary Parasitology
5.	Veterinary Microbiology
6.	Veterinary Pathology
7.	Veterinary Public Health and Epidemiology
8.	Animal Nutrition
9.	Animal Genetics and Breeding

10.	Livestock Production Management
11.	Livestock Products Technology.
12.	Veterinary Gynecology and Obstetrics
13.	Veterinary Surgery and Radiology.
14.	Veterinary Medicine
15.	Veterinary and Animal Husbandry Extension Education.

6. Annexure P/10 is syllabi of new and restructured post-graduate curricular and syllabi has been produced wherein the Livestock Production and Management and Poultry Science are distinctly placed at Serial No.3 and 5 respectively. In the suggested list of specified major subjects (departments), major subjects and minor subjects are distinctly placed which are as under:

Suggested list of specified minor subjects (department)

<u>Major Subjects</u>	<u>Minor Subjects</u>
Animal Genetics and Breeding	Genetics, Animal Biotechnology, Statistics, Livestock Production and Management, Veterinary Gynecology and Obstetrics, Animal Reproduction, Veterinary Physiology , Veterinary Biochemistry, Poultry Science, Animal Nutrition.
Animal Nutrition	Biochemistry, Veterinary Physiology, Livestock Production and Management, Animal Biotechnology, Livestock Product Technology,

	Poultry Science.
Livestock Production and Management	Animal Nutrition, Animal Genetics & Breeding, Livestock Products Technology and Veterinary and Animal Husbandry Extension.
Livestock Products and Technology	Food Science and Technology, Biochemistry, Microbiology, Veterinary Public Health, Poultry Science, Livestock Production and Management.
Poultry Science	Animal Genetics & Breeding, Animal Nutrition, Livestock Product Technology, Livestock Production and Management.

Note: The choice of minor courses other than those listed above, may be allowed on the recommendations of advisory committee, if essentially required as per the research problem, with the concurrence of Head of the department and Dean post graduate studies.

7. Therefore, after examination of the documents, the reply filed by the respondents gets the reinforcement which fortifies the fact that Screening Committee and the University have held that the petitioner does not possess the Master's Degree in Livestock Production and Management as a major subject though he is in hold of the major subject of Poultry Science. The submission of the respondents that LPM subject of the University provides study of daily production and management to the students relating to human useful animals like bird, cow, bullock, goat, hen and horse etc., whereas the Poultry Science

is only related to Poultry Farm appears to be an expert opinion and the decision is arrived at by the Expert Committee of the respondents as per the guidelines of the Regulations. Therefore, it appears to be, *prima facie*, correct and logical. Besides that the nature of the dispute would show that the opinion of the experts in the case in hand would hold the sway who are experts in the subject matter and court would not sit as an appellate authority over such decision unless other circumstances warrants. Therefore, the rejection of the candidature of the petitioner does not appear to be without any application of mind or based on any foreign interpretation of Regulations of 2008.

8. In view of the foregoing discussion, I am not inclined to allow this petition. Accordingly, this writ petition fails and is hereby dismissed.

Sd/-

(Goutam Bhaduri)
Judge

Raju