

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.11926 of 2022

Dr.Madhusmita Dhupal

....

Petitioner

Mr.Bigyan Kumar Sharma, Advocate

-versus-

State of Odisha & Anr.

....

Opp. Parties

Mr.Arnab Behera, Adv.

(for opposite party no.2)

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

22.06.2022

Order
No.

03

- 1.This matter is taken up through hybrid mode.
2. Heard.
3. The Petitioner has filed this writ petition challenging the procedure adopted by Orissa Public Service Commission in not calling the petitioner for physical verification of original documents despite the fact that the Orissa Public Service Commission published a rejection list dated 22.04.2021 of 2440 candidates including candidates in Botany which does not contain the Permanent Public Service Account Number.

4. Learned counsel for the petitioner submits that the petitioner having requisite qualifications as per advertisement published by the OPSC he had applied for the post of Assistant Professor in Botany and OPSC had issued acknowledgement receipt of the application of the petitioner as PPSAN bearing No.0009534. It is further submitted that as per the advertisement those who are called for document verification, will be required to submit printout/hard copy of OnLine application form along with the certificates/documents as stated under Para-9 of the advertisement.

5. It is further submitted that the OPSC vide its notice No.2740 dated 22.04.2021 rejected the application of 3440 candidates for reasons as mentioned against each of the PPSAN number. The PPSAN numbers of all candidates were indicated in the said notice but, the PPSAN number of the petitioner was not published in that list which was presumed that the application of the petitioner is complete in all respect and after short listing, the petitioner shall be called for document verification as contemplated in the said advertisement.

6. It is further submitted that the OPSC again published a list of candidates bearing PPSAN, requiring them to produce the original documents for recruitment to the post of Assistant Professor "Botany" pursuant to advertisement No.08 of 2020-2021, for physical verification. But to the utter surprise of the petitioner, the PPSAN No. of the petitioner was not reflected in the notice dated 30.04.2022 under Annexure-4. In this regard in order to know about the status of her application, the petitioner moved the opposite party No.2 through e-mail under Annexure-5 but no response was received from the opposite party No.2 till today. Moreover, the viva-voce test for the purpose of selection of candidate has not begun yet.

7. Learned counsel for the OPSC submits that the interview process is now going on. Nothing can be divulged in public with respect to non-calling of the candidates which would vitiate the selection process. He further reproduced the "Method of Selection" of Advertisement No.08 of 2020-2021 published by Odisha Public Service Commission which is extracted hereunder.

6.METHOD OF SELECTION

The appointments and conditions of service are to be guided by the provisions laid down under the Statutes as applicable to the State Public Universities. There shall be shortlisting of candidates for each subject as per UGC guideline. The Commission has decided that five times the no. of vacancies shall be shortlisted for interview when the no. of vacancies is more than two. For subjects where there are only one or two vacancies, ten candidates shall be shortlisted for interview.

The academic score as specified in Appendix II (Table 3A) for universities of UGC Regulation, 2018 shall be considered for shortlisting of candidates for interview and on selection shall be based only on performance in interview

The Commission shall be competent to determine the manner of conduct of its proceedings and to take all decisions required for selection of Assistant Professors to the Universities consistent with the provisions of the Act and Regulations prescribed in this behalf by the University Grants Commission.

Commission shall prepare a list of candidates in order of merit on the basis of performance in the interview which shall be equal to the number of advertised vacancies:

The list recommended by the Commission shall remain valid for a period of one year from the date of recommendation by the Commission.

8. Considering the above facts and submissions, the writ petition is disposed of directing the petitioner to seek any information under the R.T.I Act if the said information is shareable under the Act, it can be shared

by the opposite party No.2, If the selection process is over and if any discrepancies are found therein with respect to selection process of O.P.No.2/OPSC, he is at liberty to file fresh representation which shall be taken into consideration by the O.P.No.2/OPSC.

9. With the aforesaid observation, the writ petition is disposed of accordingly.

10. Issue urgent certified copy as per Rules.

(*S.K. Panigrahi*)
Judge

LB

