

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OAC) No.2724 of 2018

Samanta Bhoi

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. S.N. Das, ASC

CORAM:

JUSTICE M.S. RAMAN

ORDER

17.10.2022

Order No.

- 01.** 1. The Original Application No. 2724 of 2018 was filed before the State Administrative Tribunal, Cuttack Bench: Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 2724 of 2018.
2. The Petitioner is aggrieved by selection of the Opposite Party No.3, namely, Mr. Birendra Meher as a Lecturer being B.Tech-Textile Chemistry, whereas the Petitioner claimed himself to have requisite qualification for the said post in Textile Technology. Pursuant to the notice *vide* order dated 5th December, 2018 of the Odisha Administrative Tribunal, a counter has come to be filed by the Opposite Party No.2 (Secretary Odisha Public Service Commission), wherein the following stand is taken:-

“That, it is pertinent to mention here that the applicant (bearing Roll No. 521039) was a candidate for recruitment to the post of Lecturer in Textile Technology and had appeared the written examination provisionally. After being successful in the written examination, he had appeared the V.V.

test provisionally. After completion of the V.V. test, the Commission had selected two candidates as per their merit against two vacancies for appointment to the post of Lecturer in Textile Technology pursuant to the Advertisement No.13 of 2017-18 vide notice No.8059/PSC, dt.03.11.2018 (Annexure-3 series). The applicant was not recommended by the Commission for the said post. Being aggrieved, the applicant has filed this case alleging that the respondent No.3, namely, Sri Birendra Meher have no requisite qualification as he had acquired the qualification of B.Tech in Textile Chemistry who was recommended by the Commission. In this context, it is stated here that the syllabus of Textile Technology and Textile Chemistry of Dr. A. P. J. Abdul Kalam Technical University, Lucknow reveals that a sizable portion of the course in both the disciplines are common.

On comparing the subjects of third semester of Textile Technology and Textile Chemistry of Dr. A.P.J. Abdul Kalam Technical University, Lucknow, it appears that out of eleven subjects, seven subjects namely:- Material Science, Technical Communication, Textile Fibre-I, Textile Fibre-I lab, Cyber Security/Environment Science, Yarn Manufacturing-I (Textile Technology)/ Principle of Yarn Manufacture (Textile Chemistry) and Yarn Manufacturing-I lab/Principle of Yarn Manufacture lab are common to both.

Similarly, a comparison of the subjects of fourth semester of the both disciplines of the above mentioned University also reveals that seven out of eleven subjects are common to both the disciplines namely: Maths-IV, Universal Human Values, Textiles Fibre-II lab, Environmental Science/Cyber Security, Fabric Manufacturing-II (Textile Technology)/Principle of Fabric Manufacturing (Textile Chemistry) and Fabric Manufacturing-II lab/ Principle of Fabric Manufacturing are common.

Also the syllabus of Rajasthan Technical University, Kota shows that in every semester some papers are common to both i.e. Textile Chemistry and Textile Technology like:- Textile Fibres, Object Oriented Programming, Advanced Engineering

*Mathematics-I in third semester, Applied Electronics and Microprocessor in Textile Machines, Principles of Textile Manufacturing-II (weaving- Textile Chemistry)/ Weaving Preparation (Textile Technology) in **fourth semester**, Structure and Properties of Fibres, Textile Testing-I, Practical Application of Statistics, Finance Material and Human Resource Management in **fifth semester**, Textile Testing-II Man-made Fibre Production, Knitting Technology in **sixth semester**, Engineering to Textile Structure-I in **seventh semester** and Engineering of Textile Structure-II in **eighth semester**.*

In other orders a student studying Textile Chemistry has know basics about Textile Technology and vice-versa. Moreover, approximately sixty percent of the syllabus is common to both disciplines.

Graduate Aptitude Test in Engineering has not separate syllabus for Textile Technology and Textile Chemistry respectively. In fact both are covered under a common syllabus Textile Engineering and Fibre Science which comprises of papers like:- Engineering Mathematics, Textile Fibres, Yarn Manufacture, Yarn Structure and Properties, Fabric Manufacture, Structure and Properties, Textile Testing and Chemical Processing which are common to both.

For appointment to State Government posts like:- Asst. Director of Textiles under the Hand looms, Textile and Handicraft Department of the Government of Odisha, the minimum educational qualification is a Degree in Textile Technology/ Textile Chemistry.

To summarize;

- 1. Approximately 70% of the syllabus of Textile Chemistry and Textile Technology are common.*
- 2. A student of Textile Chemistry has to know the basics of Textile Technology and vice-versa.*
- 3. Graduate Aptitude test in Engineering has a common syllabus for Textile Technology and Textile Chemistry.*
- 4. In appointments relating to textile, Handlooms etc. of the Government of Odisha the minimum*

educational qualification is Degree in Textile Technology or Textile Chemistry.

In this context, it is pertinent to mention here that Universities have introduced new subject with minor modification to original syllabus of the mother subject, on commercial consideration. Keeping in mind the prevailing norms of the Commission to compare the syllabus of subjects of major Universities and established examinations of the Country, it was decided by the Commission to establish the equivalency between Textile Engineering and Textile Chemistry on the basis of syllabus of different Universities and GATE syllabus. The similarity in subjects was approximately 70%.

Further, it is mentioned here that Odisha Textile and Sericulture (Method of Recruitment and Condition of Service) Rules, 1993 envisaged that, the qualification required for the post of Assistant Director of Textiles is Degree in Textile Technology, Spinning and Weaving from a recognized Institution or Textile Chemistry.

It is also relevant to mention herein that earlier the Commission had issued advertisement No.09 of 2013-14 for recruitment to the post of Assistant Director of Textiles in Class-II, wherein it was mentioned that the Educational qualification required is Degree in Textile Technology, Spinning and Weaving from recognized Institution or Textile Chemistry.

Hence, the respondent No.3 was selected keeping in view of commonality of subjects both in Textile Engineering and Textile Chemistry as per the syllabus laid down for GATE examination. Further, the respondent No.3 was selected by virtue of his position in the merit list which was prepared taking the marks obtained both in written examination and V.V. test of the said recruitment into account. Hence, the Commission have not done anything wrong and illegal in recommending respondent No.3 for appointment to the post of Lecturer in Textile Technology.”

3. None appeared for the Petitioner to oppose the aforesaid stand taken by the Opposite Party No.2-Odisha Public Service Commission.

4. In view of the written explanation by way of counter by the Opposite Party No.2, this Court is persuaded that the claim set up by the Petitioner does not have any merit for consideration. Hence, the writ petition is dismissed.

Laxmikant



(M.S. Raman)
Judge