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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 271/99

New Delhi: this the 24th DECEMBER 1999.

HON'BLE M.R.S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Dr. N. Kondaiah,
S/o Shri N. Penchalaiah,
Joint Commissioner

(Meat & Meat Products),
Department of Animal Husbandry
& Dairying,
Ministry of Agriculture &
R/o B-303, Pragati Vihar Hostel,
Lodhi Road,
New Delhi - 3

..... Applicant.

(By Advocate: Shri ADV RAO)

Versus

Union of India
through

Chairman,
Agricultural Scientist Recruitment Board,
ICAR,
Krishi Anusandhan Bhawan,
Pusa,
New Delhi

.... Respondents.

(By Advocate: Shri Ashok Kashyap)

ORDER

BY HON'BLE M.R.S. R. ADIGE, VICE CHAIRMAN (A).

Applicant seeks a direction to respondents, once again to conduct an interview for the post of Asstt. D.G. (Dairying & Animal Products Technology) and call him for the interview.

2. By Advertisement No. 5/98 dated 1.8.98 respondents called for application from candidates for the reserved post of Asstt. Director General (Dairying

(V)

& Animal Products Technology) in ICAR, New Delhi in the scale of Rs.4500-7300. The qualifications prescribed were

(a) ESSENTIAL:

- (i) Doctoral degree in Animal Sciences/Animal Products Technology or related discipline.
- (ii) At least 5 years experience as a Principal Scientist (Rs.4500-7300) or in an equivalent position.

OR

An eminent Scientist having proven record to scientific contribution working in a reputed organisation/institute having atleast 18 years experience in the relevant subject.

- (iii) Evidence of contribution to Research/Teaching/ Extension Education as supported by published work/innovations.
- (iv) Specialisation and research experience in the field of Dairying/Animal Products Technology/Meat Technology.

(b) DESIRABLE:

Experience in a Research Management Position.

3. Applicant applied for the post but was not called for the interview because, according to respondents, he did not have 5 years experience as Principal Scientist (Rs.4500-7300) which was one of the essential qualifications.

4. Applicant contends that having been recruited as Joint Commissioner in Department of Animal Husbandry and Dairying, Ministry of Agriculture by UPSC w.e.f. 3.2.93, he must be treated as having been in a position equivalent to that of a Principal Scientist.

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We are not able to accept this assertion because the post of Joint Commissioner held by applicant since 3.2.93 was in the scale of Rs.4100-5300, which has been upgraded to Rs.4500-5700 by the V Pay Commission as per Respondents' averments in their reply which has not been rebutted by applicant in rejoinder. These scales are decidedly lower than the scale of Rs.4500-7300 admissible for Principal Scientist. We are supported in our view by the Tribunal's order dated 4.1.99 in OA No.1084/98 Satish Kumar Vs. Secretary, Ministry of Agriculture & Ors.

5. Applicant also contends that he falls under the alternative category of being an eminent Scientist having proven record of scientific contribution working in a reputed organisation/institute with atleast 18 years experience in the relevant subject. Applicant in his representation dated 21.1.99 (copy annexed with the OA) has furnished certain materials in support of this contention, but if respondents on the basis of their assessment do not consider those materials sufficient to categorise applicant as an eminent scientist it cannot be said that respondents' stand is illegal, arbitrary or unreasonable.

6. In the result applicant has not been able to make out a case to warrant judicial intervention in this OA which is dismissed. No costs.

Lakshmi Smrithi
(MRS. LAKSHMI SUMINATHAN)
MEMBER(J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN(A).