

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No. 466/1994

New Delhi, this 26th day of August, 1999

Hon'ble Shri Justice V. Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastray, Member(A)

Dr. R.V. Rao
C-373, Rajendra Nagar
Bareilly, U.P.

Applicant

(By Shri S.S.Tiwari, Advocate)

versus

1. Director General
Indian Council of Agricultural Research
Krishi Bhavan, New Delhi
2. Secretary
Agricultural Scientists Recruitment Board
Krishi Anusandhan Bhawan
Pusa, New Delhi .. Respondents

(By Shri R.S. Aggarwal, Advocate)

ORDER(oral)

By Reddy, J. -

The applicant is M.Sc. in Zoology and has done Ph.D in Reproductive Physiology from Gujarat University, Ahmedabad. While working as Technician T-4 with the respondent-Institute, he appeared as a departmental candidate in ARS Examination-1992 for appointment to the post of Scientist in Animal Physiology. He came through successfully. However he was not called for the interview held on 22.2.94 alongwith other successful candidates because he was informed that his qualifications did not match with those prescribed for the post. It is the case of the applicant that he was fully eligible for the post as per the advertisement made by ASRB (ICAR). This OA is filed to direct the respondents to interview the applicant. The OA was amended, as the interviews had been held and action was taken by the respondence in pursuance of the interviews,

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seeking the relief that the applicant after his interview be offered appointment if found successful in the interview.

2. It is the case of the respondents, as evident from the counter reply, that the applicant does not have the basic degree of Master's either in Veterinary Science or Animal Science or Dairy Science as per the requirements for the post of Scientist in Animal Physiology, hence he was not found eligible to be called for interview. It is their case that the study of MSc. Zoology cannot be equated with a study in MSc. Animal Physiology.

3. The only question that falls for consideration is whether the applicant is eligible for the post of Scientist in Animal Physiology. An advertisement was made on 26.12.92 by the ASRB for holding competitive examination for filling up the vacant posts of Scientists in various disciplines in the respondent-institute. It is stated that candidates declared successful in the examination would be called for interview before finalising the select list. Applicant in pursuance of the said advertisement applied for the post of Scientist in Animal Physiology. He appeared in the written examination and claims to have come through successfully. As per the advertisement, candidates applying for the post in the discipline of Animal Physiology must have a Master's Degree in Veterinary Sciences/Animal Science/Dairy Science with specialisation in Animal Physiology/Reproductive

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Physiology. Admittedly the applicant is MSc.(Zoology) and has done Ph.D in Reproductive Physiology. There is no dispute as to the applicant's specialisation is concerned. The dispute is only with his basic qualification.

4. It is stated by the applicant that in the previous examination held in 1991, the respondent-institute had considered the applications of Dr. M.S.Chauhan, having qualification of M.Sc.Zoology and Ph.D with working experience in Animal Physiology (Embryo Transfer) and Dr.(Mrs.) Taru Sharma with MSc.Zoology and Ph.D in Physiology. In the counter the respondents did not either admit or deny the allegations. They did not traverse this allegation at all.

5. The applicant is MSc in Zoology with specialisation in Reproductive Physiology. The specific allegation of the applicant that Dr.Chauhan and Dr. (Mrs.) Taru Sharma who have appeared in the previous examination and appointed as Scientists is not refuted. In view of the fact that the respondent-institute has considered the candidatures of these two candidates having M.Sc.(Zoology), we are of the view that rejection of applicant's candidature for interview is unjustified. Further at para 6 of the advertisement, candidates applying in the discipline of Animal Sciences must have a Master's degree in the relevant discipline with good academic record. The ^{↳ Subject} ~~excellence~~ of zoology is certainly a study in the discipline of Animal Science. We are,

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therefore, of the view that the applicant is fully qualified.

7. We, therefore, allow this OA and direct the respondents to interview the applicant for the post of Scientist (Animal Physiology) and consider him for appointment based on the results of 1992 examination. This exercise should be completed within a period of four months from the date of receipt of a copy of this order. No costs.

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(Mrs. Shanta Shastry) (V.Rajagopala Reddy)
Member(A) VC(J)

Shanta Shastry

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