



Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.208/2021

Monday, this the 1st day of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

S Manivanan, aged 47 years
s/o Sandrasekaran
r/o D-3, B Block, Gujans Atreya Apartment
Ajjanur Road, GKS Avenue
Coimbatore North, Coimbatore
Tamil nadu 641 046
(Group A)

(Mr. Apoorve Karol, Advocate)

..Applicant

Versus

1. Union of India through
Ministry of Agriculture and Farmers Welfare
Department of Agricultural Research & Education
Through its Secretary
Krishi Anusandhan Bhawan -1
New Delhi – 110 012
2. Agriculture Scientists Recruitment Board
Through its Secretary
Krishi Anusandhan Bhawan-1
Pusa Road, New Delhi – 110 012

..Respondents

(Mrs. Sumedha Sharma, Advocate)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The Agriculture Scientists Recruitment Board, the 2nd respondent herein, issued Advertisement No.01/2019 in



September 2019. One of the posts so advertised, was that of Director, ICAR – Indian Institute of Soil & Water Conservation, Dehradun, Uttarakhand. The applicant is one of the contenders and he uploaded the application on 11.09.2019.

2. When the applicant did not get information about the schedule of interview for the post, he initially took recourse to search on website and thereafter filed Writ Petition (C) No.9455/2020 before the Hon'ble Delhi High Court. An interim order was passed on 25.11.2020 by the High Court directing that the applicant shall be permitted to participate in the interview scheduled to take place on 26.11.2020. Thereafter, the Writ Petition was dismissed as withdrawn, leaving it open to the applicant to file an O.A. before this Tribunal. Accordingly, this O.A. is filed with a prayer to set aside the entire proceedings, referable to the selection to the post of Director, ICAR – Indian Institute of Soil & Water Conservation in the Advertisement No.01/2019 and to direct the respondent No.2 to conduct a *de novo* selection process for the said post.

3. The applicant contends that there was lack of transparency in the entire process and the relevant information was not made available on the website at all. He submits that a perusal of the counter affidavit filed by the respondents in Writ Petition (C) No.9455/2020 would disclose that the prescribed procedure was



deviated from and accordingly, the entire process requires to be redone.

4. We heard Mr. Apoorve Karol, learned counsel for applicant and Mrs. Sumedha Sharma, learned counsel for respondents, at the stage of admission.

5. The applicant is one of the contenders for the post of Director, ICAR – Indian Institute of Soil & Water Conservation, advertised by the 2nd respondent. Since the post is of very high level, the selection is bound to be a bit complicated and meticulous. As in the case of selection to many posts, the 2nd respondent has reserved to itself, the right to adopt the short listing criteria. It is stated that according to the Standard Operating Procedure (SOP), the Screening Board has short listed 10 candidates for being interviewed for selection to the post of Director, ICAR, and that the name of the applicant did not figure therein. The applicant did not challenge the short listing criteria.

6. Be that as it may, the applicant was also interviewed on 26.11.2020, in compliance with the directions issued by the Hon'ble Delhi High Court. The applicant can be said to have any grievance, if only the ultimate selection is done and he was not successful therein. When the respondents have not yet finalized the selection, the O.A. is pre-mature. It is only when the selection



process is concluded and the applicant finds any illegality therein, that the O.A. can be filed.

7. The O.A. is, therefore, dismissed as pre-mature, leaving it open to the applicant to pursue the remedies after the selection process for the post of Director, ICAR – Indian Institute of Soil & Water Conservation, Dehradun, Uttarakhand is concluded, in case he is not selected. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 1, 2021
/sunil/