

evaluation of SRA and JRA, was fixed in the said meeting if held. When another local member of the Selection Committee viz. Dr. N.D. Jogdande, was asked about the said meeting on 31.5.2005, by issuing to him the notice dated 18.12.2007, in this regard, he stated in his additional affidavit dated 7.1.2008 (Ex. 649) that he was unable to recollect now whether any such meeting was called on 31.5.2005 and whether he had attended any such meeting and what its purpose was.

173) Turning to the affidavits of the other members of the Selection Committee, Shri N.D. Pawar, outside member of the Selection Committee, stated in para 4 of his affidavit dated 1.11.2007 (Ex.590) that except the notice dated 26.5.2005 about the meeting of the Selection to be held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005, he did not receive any notice of the meeting of the Selection Committee before 13.6.2005 if, convened. As regards the criteria for academic evaluation of SRA and JRA, he stated in para 6 that on 13.6.2005, at the outset, before the meeting of the selection committee started the Chairman of the Selection Committee. Dr.V.D. Patil, orally explained to all the members present in the meeting, criteria to be followed in evaluation of the candidates appearing for interview. He also stated that there was no meeting of the Selection Committee held for determination of criteria as such or for its approval. Dr.G.N. Dake, another outside Member of the Selection Committee, stated in para 3 of his affidavit dated 23.11.2007 (Ex.600) that he did not receive notice of any meeting of the Selection Committee nor was informed about it on phone if any such meeting was held prior to 26.5.2005 i.e. the date of notice convening the meeting of the Selection Committee to be held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005. He then stated that he did not know whether any meeting of the Selection Committee was held on 31.5.2005 because he did not receive any notice or any phone call about any such meeting.

174) It is, however, material to see that at page-2, of the Minutes / Proceedings of the Meeting of the Selection Committee held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 contained in the file Ex.34 (O), it is mentioned “The Selection Committee decided to give 40 marks for qualification, experience etc. acquired by the applicant and 60 marks for personal interview, the break-up of 40 marks was decided as under.....”

c) Whether the Vice-Chancellor approved the criteria for academic evaluation of SRA and JRA

175) Dr.V.D. Patil, the Chairman of the Selection Committee stated in para 32 of his affidavit dated 25.12.2007 (Ex.645) that he had discussed with the Vice-Chancellor, the question about giving marks to candidates as per the criteria laid down in the meeting dated 31.5.2005 regarding the qualification of Ph.D., Thesis submission, Publication of Research Papers/Popular Articles and significant contribution even if they had acquired the same after the last date of submission of application i.e. 15.9.2004 till the date of interviews

since, according to him, long time elapsed from the date of the advertisement. Further, according to him, the above discussion with the Vice-Chancellor and his approval to the same was only oral and no office note in this regard was written and was sent through proper channel to him by the Registrar's office for his approval. He then admitted that the Vice-Chancellor was the appointing Authority and that he had to take the decision by following the official routine i.e. by getting the proposal from the Registrar's office through proper channel for his approval on the question whether the marks as per the criteria for assessment of the candidates should be given to the candidates for acquisition of educational qualifications and his other attainments till the last date of submission of the applications for the posts of SRA and JRA as given in the advertisement or till the date of interviews. He also admitted that if the evaluation of the candidates as per the criteria for assessment of the acquisition of their educational qualifications and other attainments was till the date of their interviews it should be so mentioned in the advertisement for the benefit of all the candidates.

176) As regards the question of approval of the Vice-Chancellor to the criteria for evaluation of SRA/JRA perusal of para 28, of the affidavit of Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University, dated 14.1.2008 (Ex.658) would show that there was no discussion held with him by the Chairman of the Selection Committee, Dr.V.D. Patil or anybody else as regards the determination of the criteria for academic evaluation of SRA and JRA laid down in the meeting held on 31.5.2005, which is at page C/35 of the file Ex.35(O). He then stated in the said para 28 that he did not know whether the said criteria was laid down by the Selection Committee, whether its meeting was held for the said purpose on 31.5.2005 or whether it was laid down only by the Chairman of the Selection Committee, Dr.V.D. Patil, the Associate Dean (PGI), Dr.E.R. Patil, and the then Registrar, Dr.PDKV, Akola, in their meeting on 31.5.2005. He further stated in para 29 that academic evaluation of the candidates as per the criteria laid down for the said purpose should be on the basis of the certificates/documents submitted by the candidates till the last date of applications given in the advertisement i.e. 15.9.2004 and not thereafter i.e. till the date of interview. He also stated that the Chairman of the Selection Committee did not discuss with him about the above question i.e. whether the academic evaluation of the candidates should be on the basis of the Certificates/documents submitted by them till the last date of application or even on the basis of Certificates/documents submitted by them thereafter till the date of their interviews.

177) In regard to the procedure followed in the University for taking decision upon the criteria to be applied for academic evaluation of SRA/JRA, perusal of para 26 of the affidavit of Shri D.P. Deshmukh, Section Assistant (Estt.) dated 15.11.2007 (Ex.598), would show that the criteria for academic evaluation of candidates, who had applied for the posts of SRA and JRA, was not determined by calling the meeting of the Selection

Committee nor with any discussion or consultation with the Vice-Chancellor. He then stated that no office note of any kind was submitted for determination of the above criteria nor also for calling the meeting which determined the criteria on 31.5.2005. He further stated that according to the system extant in their office, before any decision is taken an office note is submitted and the said office note is forwarded through proper channel i.e. through the Assistant Registrar, Deputy Registrar, and the Registrar to the Director of Instructions / Chairman of the Selection Committee and finally to the Vice-Chancellor for their approval. He also stated that while determining the above criteria this official routine was not followed. The said criteria for academic evaluation of SRA/JRA, after its determination, was not sent to the Vice-Chancellor and was not approved by him. He then pointed out that according to the rules the Vice-Chancellor is the appointing authority as regards the above posts.

d) Criteria explained

178) Perusal of the criteria for academic evaluation of SRA and JRA laid down on 31.5.2005, contained at page C/35 in the file Ex.35(O) and also annexed to this Report as Annexure-12 would show that 20 marks were fixed for qualification out of which, 5 marks each were fixed for acquiring B.Sc. (Agri.) and M.Sc. (Agri.) degrees in First Division and 4 marks each for acquiring the said degrees in Second Division. For “Ph.D. Degree complete” 10 marks were allotted and for “Thesis Submitted”, 8 marks. However, in “Thesis Submitted” “8” marks were scratched in blue ink. Below the said head, the following note was given in bracket “(the letter of Registrar/ Associate Dean/HOD/Guide along with thesis is required)”. For experience, one mark for each year upto maximum of 5 marks were allotted. As regards publications, 2 marks for each publication and 0.2 marks for popular article published with Maximum upto 10 marks were allotted. Lastly, for “Significant Contribution”, marks upto 5 could be given in descending order i.e. 1st = 5 , 2nd = 4 , 3rd = 3 , 4th = 2, and 5th = subsequent = 1. The total marks 40 fixed for academic performance of the candidates were thus distributed in the above manner in the meeting held on 31.5.2005. For performance of the candidates in their interviews, the total marks fixed were 60. The grand total of the marks fixed for academic performance and interview was thus 100.

179) Dr. V.D. Patil, (D.I), the Chairman of the Selection Committee, stated in para 27 of his affidavit dated 25.12.2007 (Ex.645) that in laying down the criteria for academic evaluation of the candidates applying for the posts of SRA (Agri.)/ JRA (Agri.), they had adopted the pattern or principle of 40 : 60 i.e. 40 marks for academic performance and 60 marks for performance in the interview as laid down in Statute-52 for the posts of Professor and above. However, according to him, as regards 40 marks fixed for academic performance, they bifurcated the said marks and fixed specific marks for various academic achievements such as Degrees, experience, publication of Research Paper publication/

Popular Article and Significant Contribution. According to him, the said pattern or principle of 40:60 was also followed earlier by the Selection Committee constituted for the posts of Assistant Professor/ Associate Professor of which he was a member, while taking interviews for the said posts.

180) Perusal of Statute 52 would however, show that the distribution scheme of 40 marks fixed for past performance therein given under the heads Academic Career, Service Experience, Research Publication and Special Contribution in paras A, B, C and D thereof is different from the distribution scheme of 40 marks in the criteria laid down in this case for academic evaluation of SRA and JRA annexed as Annexure-12 to this Report. What is material to be noticed is that there are cut off marks fixed for personal interview in Statute 52 because if a candidate gets 20 or less marks out of 60 from two or more members in personal interview, he can be rejected even if his total grade is higher than that of other candidates. However, the criteria for academic evaluation of SRA and JRA laid down in this case in the meeting dated 31.5.2005 annexed to this Report as Annexure-12 does not show that any cut off or minimum marks are fixed so that the claim of the candidate for being selected in any of these posts can be rejected if he gets marks lower than the said cut off marks. After perusing the criteria for academic evaluation of SRA/JRA again in this enquiry, Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee, admitted in para 76 of his affidavit dated 25.12.2007 (Ex.645), that no minimum marks for being considered for appointment in the posts in question in descending order of merit were fixed by them in the said criteria, so that, if any candidate did not get the said minimum number of marks out of 100, he would not be considered for appointment in these posts of SRA (Agri.) and JRA (Agri.). He reiterated the same thing in para 78 when he stated that no cut off marks were prescribed by them below which a candidate would not be considered for appointment in the posts of SRA (Agril.) and JRA (Agril.), even though, a post was available for him after considering him in descending order of merit.

181) Referring to para 47 of his affidavit dated 1.12.2007 (Ex.633) in which he stated that the overall performance of YCMOU Graduates who were interviewed for the post of JRA (Agri.) was poor, Dr.Vandan Mohod, in para 7 of his additional affidavit dated 2.4.2008 (Ex.713), agreed that there were no cut off marks laid down in the criteria for academic evaluation of the candidates who had applied for the posts of SRA (Agri.) and JRA (Agri.) and that since no cut off marks were fixed in the criteria for the said posts, the candidates who had received low marks also could be selected if the posts were available for them according to descending order of merit.

182) As regards the question whether the cut off date for giving marks to the candidates for their qualifications, experience, publication of their research paper /popular article and their significant contribution was the last date for submitting the application as given in the advertisement or also thereafter till the interviews commenced, there is no mention about

the same in the criteria for academic evaluation of SRA and JRA laid down on 31.5.2005 (Annexure-12 to this report) but in the advertisement dated 14.8.2004 (Ex.2) it is stated “Applications received with incomplete information and documents and received after last date will not be considered under any situation and circumstances”.

183) Regarding the aforesaid question, Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee stated in para 31 of his affidavit dated 25.12.2007 (Ex.645) that he had told the Assistant Professors/ Associate Professor and the Officers/Employees of the Registrar’s office in the meeting called by him 3 or 4 days after laying down the criteria in the meeting held on 31.5.2005 (Annexure -12 of the Report) that as regards the qualification of Ph.D., Thesis submission, publication of research paper/popular article and Significant contribution marks should be given to the candidates for the same after verification / scrutiny of the documents / Certificates produced by them in that regard before them even if the acquisition of the qualification of Ph.D., Thesis submission, publication of Research Paper / Popular Article or their Significant contribution was after the last date of submission of their applications for the posts of SRA and JRA i.e. 15.9.2004 and till the date of interview since long time had elapsed from the date of advertisement. According to him, as regards the B.Sc. (Agri.) and M.Sc. (Agri.) degrees of the candidate, he should be given marks for the same as per the criteria laid down by them if they had acquired them till the last date of application given in the advertisement i.e. 15.9.2004 since they were minimum qualifications for the posts in question. He however, stated that after seeing Appendix-III of the Statutes, he realized that mere graduation is sufficient qualification for the posts of JRA and for SRA, the minimum qualification is B.Sc. (Agri.) in first division with distinction. He then admitted that he had not given any instructions that if any candidate had acquired the post graduate qualification i.e. M.Sc. (Agri.) after the last date of the application, he should also be given marks for the said degree as per the criteria laid down by them. He further stated in para 32 that he discussed the said matter with the Vice-Chancellor who had granted oral approval to the same.

184) However, as already pointed out in para 170 of this report, perusal of para 28 of the affidavit of Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University dated 14.1.2008 (Ex.658) shows that he denied that there was any such discussion held with him by the Chairman of the Selection Committee, Dr.V.D. Patil, or anybody else as regards the determination of the criteria for academic evaluation of SRA and JRA laid down in the meeting dated 31.5.2005. He then categorically stated in para 29 in his aforesaid affidavit that the academic evaluation of the candidates as per the criteria laid down for academic performance should be on the basis of the certificates/ documents submitted by the candidates till the last date of application given in the advertisement, i.e. 15.9.2004 and not thereafter i.e. till the date of interview. He specifically stated therein that the Chairman of the Selection Committee did not discuss with him about the above question i.e. whether the

evaluation of the candidates should be on the basis of the certificates/documents submitted by them till the last date of application or even on the basis of certificate/document submitted by them thereafter till the date of their interviews.

185) Dr.G.N.Dake, outside member of the Selection committee, stated in para 10 of his affidavit dated 23.11.2007 (Ex.600) that according to him, the heads such as qualifications, experience, thesis submission, publication of research papers/popular articles and significant contribution which were to be considered for giving marks for academic performance should be till the closing date of the application and not thereafter and if the marks were given for the above factors after the closing date of the applications and were taken into consideration in selection of the candidates such selection would be illegal and improper.

186) Shri R.B. Bali, the then Registrar, who was associated with Dr.V.D. Patil, in laying down the criteria for academic evaluation of SRA and JRA in the meeting held on 31.5.2005 stated in para 9 of his affidavit dated 11.10.2007 (Ex.585) that the marks as per the criteria laid down for academic evaluation of SRA and JRA were to be given to the candidate for the qualifications acquired or the research paper/ popular article published by him till the last date of application given in the advertisement i.e. on the basis of the documents and / or certificates enclosed with the application submitted by him for the posts of SRA (Agri.) and JRA (Agri.). He also stated that if any candidate was to acquire any higher or additional qualification or to submit his thesis or publish his research paper/ popular article after the last date to receive the applications, such higher or additional qualification or thesis submission or publication of research paper/popular article after the last date of application was not to be taken into consideration and no marks were to be given for the same.

187) Dr.E.R. Patil, Associate Dean (PGI) who was also associated with Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee in laying down the criteria for academic evaluation of SRA / JRA in the meeting dated 31.5.2005, stated in para 15 of his affidavit dated 16.11.2007 (Ex.599) that there was random checking done by the Committee as regards the marks given by the Assistant Professors for academic performance on the basis of the applications of the candidates appearing for interview including the documents and certificates filed therewith. What is material to be seen is that he further stated that the documents/certificates annexed by each candidate to his application were alone considered for giving marks to him as per the criteria laid down in this regard for acquisition of qualification, experience, publication of research paper/ popular article or the proposals about the significant contribution. In other words, as stated by him in the said para 15, if any candidate acquired any qualification and / or had any publication of his Research Paper/Popular Article after the last date of application given in the advertisement, such documents or certificates were not to be considered for awarding any marks to him as per

the criteria laid down in that regard. He then stated in para 44 of his aforesaid affidavit dated 16.11.2007 (Ex.599) that he had perused the file Ex. 38(O) and had seen the discrepancies in the marks allotted by the Assistant Professors for Ph.D. Degree acquired by the candidate or thesis submitted by them after the last date of application and also marks given by them for Research Paper/Popular Article etc. before the last date of application as well as after the said date, which would show that it was incorrect for them to give marks to the candidates for acquisition of qualification or for thesis submission or for publication of research paper/ popular article etc. after the last date for submission of application for the posts of SRA/ JRA.

188) As regards the figure “8” of the marks determined for “Thesis Submission” being scratched in the aforesaid criteria fixed on 31.5.2005, for academic evaluation of SRA and JRA, Dr.V.D. Patil (D.I.), the Chairman of the Selection Committee, stated in para 28 of his aforesaid affidavit dated 25.12.2007 (Ex.645) that he would not be able to tell who had scratched the figure “8” of the marks for “thesis submission” but they had determined 8 marks for “thesis submission” and they were to be given to the candidates concerned. Accordingly, he had explained to the Assistant Professors/ Associate Professor who were appointed by him by his order dated 6.6.2005 (Ex.209) that they should give 8 marks for it. However, as regards scratching of 8 marks in blue ink for thesis submission, Shri D.P. Deshmukh, Section Assistant (Estt.), stated in para 26 of his affidavit dated 15.11.2007 (Ex.598) that the said scratching appeared to be in the hand writing of Dr.V.D. Patil.

189) As regards the question whether the marks should at all be given for “thesis submission”, Dr.V.D. Patil (D.I.), stated in para 28 of his affidavit dated 25.12.2007 (Ex. 645) that since the posts of SRA (Agri.) and JRA (Agri.) were lower posts in the hierarchy of the posts of academic staff members, they had given marks for “thesis submission” also although in assessment of the candidates for the posts of the Assistant Professor/ Associate Professor following fully the pattern of Statute-52 which lays down the criteria for assessment of the candidates for the posts of Professor and above, they had not fixed any marks for “Thesis submission”. He admitted in this regard that the thesis can be rejected by the external examiner/s to be appointed by the University in which case there would be no value to the thesis submitted by the candidates. However, according to him, they had taken into consideration the course work and the research work put by the candidates before submission of his thesis in allotting 8 marks for thesis submission. He then stated that there was a rare possibility of rejection of his thesis and therefore, they had decided to give 8 marks to the candidate if he would show his thesis, and certificate of his guide to the Assistant Professors/Associate Professor who were appointed by his order dated 6.6.2005 to scrutinize it and give him marks about it.

190) As regards the allocation of the marks for “thesis submission” in the aforesaid criteria, Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University, stated in para 30 of

his affidavit dated 14.1.2008 (Ex.658) that the thesis of the candidate was not normally rejected although the possibility of its being rejected in a rare case could not be ruled out. He further stated that even though, the thesis of the candidate could be rejected there was still justification for allotment of marks for mere submission of the thesis since according to him, before submission of his thesis, a candidate had passed theory examination by under going course work for which there were 35 credits, but that was not enough for a candidate for being eligible to submit his thesis because for its eligibility, he had to further pass the qualifying examination after clearing which only he would be eligible to submit his thesis. He then stated that there were 35 credits each for research work and course work which would show that there were equal marks for satisfactory completion of course work and for completion of research work which the candidate was entitled to get for his Ph.D. Degree. According to him, since the candidate had to clear the qualifying examination for being eligible to submit his thesis, he could be considered to have received 80% marks out of the total marks allotted to Ph.D. Degree and not merely 50% out of it for satisfactory completion of course work. He, then stated that a candidate was eligible for appearing for qualifying examination after completion of 80% course work with minimum CGPA of 7.00 (0 to 10.0 Scale). Therefore, according to him, “8” marks fixed for “thesis submission” instead of 5 i.e. 50% of 10 marks fixed in the criteria for “Ph.D. Degree complete” was proper.

191) Referring at this stage to “Regulation No. AC/8 framed by the Academic Council of the University for the award of Post Graduate and Ph.D. Degrees” filed and marked as Ex. No. 32 in this enquiry, it may be seen that as defined in Regulation No. 2-K CGPA is short form of “cumulative grade point average”. It is defined therein to mean the quotient of the total grade points obtained by a student in a course during the degree programme divided by the total numbers of credit successfully completed. Regulation 11 provides for credit requirement. Sub-clause-B of its clause (i) provides for 35 course credits and 35 research credits for Doctorate degree. Regulation-28 then provides for qualifying examination. Clause (i) thereof would show that the qualifying examination is meant to judge the student’s candidature for the degree programme and the said examination has to be given to assess the overall ability of the student to conduct research with theoretical back ground he possesses. Clause (iii) thereof would show that a student can appear for the qualifying examination only after completion of 80% of course work with a minimum CGPA of 7.00 for Ph.D. programme. Clause-(iv) thereof shows that the qualifying examination has to be completed atleast six months in advance of the completion of degree programme by the students.

192) Regulation 30 deals with evaluation of thesis and part B thereof relates to Ph.D. degree. In other words, the question of acceptance or rejection of thesis is considered therein. Clause (i) thereunder would show that thesis submitted in partial fulfillment of

Ph.D. degree would be evaluated by two external examiners appointed by the University. Perusal of clause-(ii) thereunder would show that thesis would be considered for the award of the degree in case the reports of both the external examiners are favourable but in case the report from one of the external examiners is unfavourable, the thesis can be referred for evaluation to a third examiner and if he recommends the thesis for award of the degree, his recommendation would be accepted and if he does not recommend, the thesis would not be considered for the award of the degree. Although not so clearly stated therein, if the initial reports of both the external examiners are unfavourable, it would show that the thesis of the candidate would not be considered for award of the degree unless they have recommended additional work upon the thesis for award of the degree as provided in clause (iii) thereunder.

193) As regards 5 marks fixed for “Significant Contribution”, Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee, stated in para 29 of his affidavit dated 25.12.2007 (Ex.645) that the said marks were for any innovative technique, research work, proposal of new variety of crop or project. He then stated that when the persons i.e. more than one worked as a team upon any proposal for new variety, project or any innovative technique, the marks were given to them in descending order i.e. the Head of such team who was ordinarily the Assistant Professor or the Head of the Department would be placed at no.1 in such proposal, project or innovative technique and would get 5 marks, person placed at no.2 = 4, at no.3 = 3, at no.4 = 2, and at no.5 = subsequent no. 1. He also stated that the maximum marks which could be given to any candidate were 5 even though he might have been associated or involved in more than one proposal, project or innovative technique.

e) Re. criticism of the criteria – weightage to be given to personal interview

194) As regards the criticism about the very high weightage being given to the interviews in the above pattern of 40 : 60 i.e. 40 marks for academic performance and 60 marks for personal interview adopted for selection of the candidates for the posts of SRA (Agri.) and JRA (Agri.), Dr.V.D. Patil (D.I), the Chairman of the Selection Committee, stated in para 27 of his affidavit dated 25.12.2007 (Ex.645) that he had adopted the said principle from Statute-52 applicable to the posts of Professor and above. However, as regards the question whether personal interview is a better way to judge or test the knowledge of the candidate, he stated in the said para 27 that in his personal view written test was the best way to judge or test his knowledge. However, according to him, where written test was not prescribed then in his personal view between academic performance and personal interview, comparatively, more weightage needed to be given to academic performance rather than personal interview, which was of short duration, was subjective, and there was possibility of its being abused. He further stated that looking to the nature of the duties and responsibilities of the posts of SRA (Agri.) and JRA (Agri.), what was material was knowledge of the candidate about the subject as he had to work as per the direction given to

him by the Assistant Professor or Head of his Department and not on his own initiative. In the context of the proper test to be prescribed for shortlisting of candidates to be called for interview, he stated in para 20 of his aforesaid affidavit that he was of the view that the written test was a proper test not only for shortlisting of the candidates but also for testing their knowledge.

195) When he was confronted with the chart at page-8 of the note, titled “statement regarding selection and appointment of SRA and JRA in Agriculture based on interviews held during June 2005” marked as Ex.85 in this enquiry and included in the affidavit of Dr.B.S. Fadnaik and another, dated 13.8.2007 (Ex.84), and, in particular, para 6 of the said note relating to “Indiscriminate use of 60 marks meant for interview” under which in para 6.4 there is a tabular statement regarding the candidates who had only bachelor’s degree and had received 5 marks for their academic performance out of 40 but received very high marks 49-50 in their interview, he stated in para 90 of his aforesaid affidavit that according to him, they must have been put questions in interview of the graduate standard and therefore, their interviews must have been excellent and they must have been given high marks 49-50 in their interviews but he then admitted that if the questions asked to them were only of graduate standard, whereby they received very high marks in their interviews, the system which they had adopted of taking common interviews of both these posts would be faulty because in that case a candidate with M.Sc. or even Ph.D. degree would get lower marks and could be excluded from being selected for any of these posts because he was asked questions of very high standard whereby he got lower marks compared to the above referred candidate who was only a graduate.

196) After stating in para 19 of his affidavit dated 1.12.2007 (Ex.633) that what was necessary to be seen was the knowledge of the candidate from the point of view of the duties required to be performed by him as SRA/JRA, Dr.Vandan Mohod, the Registrar/Member Secretary, stated in para 20 thereof that, in his view, knowledge of the candidate about his subject/s. can be better judged from his academic performance rather than from his personal interview which is of short duration, and is much subjective. Therefore, according to him, comparatively maximum weightage should be given to academic performance rather than personal interview and minimum 15 to 20% marks should be given to the candidate for his performance in the interview.

197) Dr.E.R. Patil, the senior most member of the Selection Committee also admitted in para 27 of his affidavit dated 16.11.2007 (Ex.599) that since the object of taking personal interview of the candidate was to test his knowledge about the subject/s. offered by him for his graduation and / or post graduation from the point of view of the duties and responsibilities of the posts of SRA / JRA so as to ascertain his fitness for the said job, the knowledge of each candidate, in his view, could be better judged by his academic performance i.e. his qualifications, experience, thesis submission, research paper/popular

article, significant contribution etc. rather than from his personal interview which is for a short duration and is subjective. Therefore, according to him, more weightage should be given to the academic performance rather than personal interview. He then stated that there was a move in the University to amend the statute and that it had in-fact made the recommendation to the Government that the academic performance should be given more weightage rather than personal interview in selection of candidates to these posts of academic staff members.

198) Dr.N.D. Pawar, outside member of the Selection Committee, stated in para 10 of his affidavit dated 1.11.2007 (Ex.590) that the object of judging candidates in interview was to see their knowledge about the subject particularly from the point of view of duties and responsibilities of the posts of SRA and JRA which posts were principally research oriented posts and the candidates who would be selected in these posts would be required to work in farm, extension education, stores, laboratories and also teaching in schools so far as JRA was concerned. He then stated in para 11 that it was true that the knowledge of the candidate could be judged from the qualifications which he had acquired and normally the higher the qualifications the better his knowledge would be. However, according to him, as regards some of the candidates, who appeared for interview before them it was found that they had acquired their degrees much earlier i.e. about 3 or 4 years back and they had forgotten the knowledge about their subjects particularly if they were working in the posts such as Gram Sewak, where the knowledge of their subjects was not necessary, and therefore, for this reason, according to him, the interviews of such candidate showed less knowledge about the subjects with which the posts of SRA and JRA were concerned. He stated that it was in such cases that the knowledge of the candidates could be judged better from their personal interview rather than the qualifications which they had acquired but by and large if they were freshers and acquired their qualifications recently they would have much better knowledge of the subject/s.

199) Dr.N.D. Pawar, who was working as Associate Dean and Principal in Agriculture College, Ambejogai, at the time when he filed his affidavit dated 1.11.2007 (Ex.590) in this enquiry, has given his expert opinion upon the question of comparative weightage to be given to the academic performance visa-a-vis the personal interview. He stated in para 12 of his aforesaid affidavit that the test of interview is subjective and what can be judged in interview is whether the candidate is intelligent or not. As a person who had actually worked in all the posts from JRA to Associate Dean, his expert opinion as regards the question of comparative weightage to be given to the criteria of academic performance visa-a-vis the personal interview from the stand point of nature of duties and responsibilities of the posts of SRA and JRA was that academic performance should be given higher weightage than personal interviews. Further, in his view, the written test was the best way of judging merit and knowledge of the candidates in this regard. He stated that

he had experience of the work regarding recruitment in the posts of SRA and JRA as he was member of the Selection Committee for the said posts in Agricultural University, Rahuri, where for the selection of the candidates for the said posts, written test was prescribed, apart from the interviews and out of the total of 100 marks, the said University allotted 75 marks for written test and 25 marks for personal interview. It may be seen that the recruitment process in Rahuri University is already dealt with in paras 125 to 128 of this Report while considering the question of shortlisting of candidates.

200) Turning to the affidavit of Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University , dated 14.1.2008 (Ex.658), he stated in para 16 thereof that in his personal view as regards the question of different ways adopted for judging knowledge and the suitability of the candidate for the particular post, between the written test of the candidate and his personal interview comparatively higher weightage should be given to the written test and similarly, between the academic performance of the candidate and his personal interview, higher weightage should be given to his academic performance rather than his personal interview but he felt that the personal interview is also necessary because a candidate who is highly qualified i.e. M.Sc. or Ph.D. may know more about his own subject but may have forgotten basic knowledge of other subjects, which is necessary for working in the lower post.

viii) Assignment of the work of awarding marks as per the criteria

201) Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee, stated in para 30 of his affidavit dated 25.12.2007 (Ex.645) that as regards the marks to be awarded as per the criteria laid down for academic evaluation of SRA and JRA, he had appointed two teams of Assistant Professors/Associate Professor by his office order dated 6.6.2005 (Ex.209), who were directed by him to attend to the work of verification of certificates/research papers etc. during the interviews for the posts of SRA (Agri.) and JRA (Agri.) as per the dates and timing shown against their names in the said office order dated 6.6.2005 (Ex.209). The aforesaid office order dated 6.6.2005 (Ex.209) is filed in this enquiry by Dr. Anita Bhagwantrao Chore, the Assistant Professor (Agronomy), Dr.PDKV, Akola with her affidavit dated 9.9.2007. The relevant extract of the said office order dated 6.6.2005 is as follows :-

OFFICE ORDER

No. DN/SO/73/2005

Dt. 6.6.2005

The following staff members are directed to attend the verification work of Certificates/ Research Papers etc. during the interviews for the posts of Senior Research Assistant/Junior Research Assistant as per the dates and timings against their names.

Sr.	Name	Designation	Department	Date
1.	Dr.A.P. Karunakaran	Asstt. Prof.	Agronomy	June 13-17, 2005 8.30 a.m. onward
2.	Dr.Kale K.B.	Associate Prof.	Pl.Pathology	“
3.	Dr. Lokhande, L.U.	Asstt.Prof.	Fisheries	“
4.	Dr. Chore, A.B.	Asstt.Prof.	Agronomy	June 20-25, 2005, 8.30 a.m. onward
5.	Dr.S.K. Aherkar	Asstt.Prof.	Entomology	“
6.	Dr. Kostti, N.R.	Asstt.Prof.	Extension	“

Venue : Dr.PDKV, Guest House

Date : As mentioned above.

Time : 0.8.30 a.m. onward

Sd/-

Director of Instructions &
Dean Faculty of Agriculture
Dr.PDKV, Akola

The aforesaid office order dated 6.6.2005 (Ex.209), would show that Dr.A.P. Karunakaran, the Assistant Professor (Agronomy), Dr. Kale K.B., Associate Professor (Pl. Pathology) and Dr. Lokhande L.U., Assistant Professor (Fisheries), constituted one team which was to attend to the work of verification of certificates/ research papers etc. during the interviews for the posts of SRA (Agri.) and JRA (Agri.) from June 13th to 17th June 2005 from 8.30 AM onwards. The other team consisted of Dr. Chore A.B., Assistant Professor (Agronomy), Dr.S.K. Aherkar, Assistant Professor (Entomology) and Dr. Koshti N.R., the Assistant Professor (Extension) which was to attend to the work of verification of certificates / research papers etc. during the interviews of the candidates from June 20th to 25th June 2005 from 8.30 AM onwards.

202) Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee then stated in para 30 of his affidavit dated 25.12.2007 (Ex.645) that 2 or 3 days after the aforesaid order dated 6.6.2005 (Ex.209) was issued by him he called the meeting of the Assistant Professors/Associate Professor, who were to do the work of verification of certificates / research papers etc. and give marks for the same as per the criteria for academic evaluation of SRA/JRA laid down in the meeting dated 31.5.2005 annexed to this Report as Annexure-12. In the aforesaid meeting of the Assistant Professors/Associate Professor, called by him, according to him, the officers/employees of the Registrar's office were also present. He then stated that he explained to them the aforesaid criteria to be followed by them for

academic evaluation of the candidates for the posts of SRA (Agri.) and JRA (Agri.). He told them that they were to verify the Ph.D. degree, thesis, publication of research papers/popular articles and the documents relating to the significant contribution produced by the candidates for scrutiny / verification and give them marks according to the criteria laid down by them on 31.5.2005. He further stated that the said criteria was orally explained to them but the copies of the said criteria were not supplied to them. However, according to him, one of them had noted the said criteria on the last page of the chart marked as Ex.38(O) in this enquiry. In fact, according to him all of them had noted down the criteria which he had explained to them.

203) As regards the staff of the Registrar's office, Dr.V.D. Patil, the Chairman of the Selection Committee, stated in the said para 30 of his affidavit dated 25.12.2007 (Ex.645) that he told them in the said meeting to prepare the data-sheet and enter in it marks of the candidates for their academic performance i.e. marks under various heads such as Degrees, Thesis submission, experience, publication of research papers/popular articles and significant contribution which included the marks given to the candidates by the Assistant Professors/ Associate Professor. He admitted that, he, had not issued any instructions in writing to the staff in the Registrar's office to prepare the datasheet and enter in it the marks for academic performance of the candidates as stated above.

204) Dr. V.D. Patil, (D.I.), the Chairman of the Selection Committee, further stated in para 31 of his affidavit dated 25.11.2007 (Ex.645) that as regards the question of giving marks for academic performance as per the criteria laid down in the meeting dated 31.5.2005, he told the Assistant Professors/Associate Professor and the officers/employees of the Registrar's office in the above referred meeting that as regards the qualification of Ph.D., Thesis submission, publication of research paper/ popular article and the document relating to Significant Contribution since long time elapsed from the date of the advertisement dated 14.8.2004 (Ex.2) the marks for the above academic attainments should be given to the candidates even if he had acquired the same till the date of interview i.e. even after the last date of submission of the application for the posts of SRA and JRA i.e. 15.9.2004. He, however, told them that as regards the degrees of B.Sc. (Agri.) and M.Sc. (Agri.), the candidates should be given marks for the same as per their criteria if they had acquired them till the last date of application i.e. 15.9.2004 since they were minimum qualifications prescribed for the posts in question. But after seeing Appendix-III of the Statutes, he stated that he now realized that mere graduation was sufficient qualification for the posts of JRA and for the post of SRA, minimum qualification was B.Sc. (Agri.) in First Division with distinction. He, therefore, admitted that he had not given any instructions that if any candidate acquired the post graduate qualification i.e. M.Sc. (Agri.) after the last date of applications he should also be given marks for the said degree as per their criteria.

205) As regards the question as to what Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee, told the Assistant Professors/Associate Professor in their aforesaid meeting, Dr.A.P. Karunakaran, Assistant Professor (Agronomy), in para 3 of his affidavit dated 14.9.2007 (Ex.274) and Dr.N.R. Koshti, Assistant Professor (Extension), in para 15 of his affidavit dated 26.9.2007 (Ex.536), stated that they were told by the Chairman of the Selection Committee, to give marks for Ph.D. Degree, Thesis submission, Publication of Research Paper/ Popular Article and for Significant Contribution even if they were acquired/submitted/published after the last date of applications for the purpose of “Upgradation” in the sense that if there was any tie in the marks given to the candidates, they would consider the marks given to them regarding the above referred documents submitted after the last date of applications for the first time before them at the time of interviews. Dr.V.D. Patil, (D.I.), the Chairman of the Selection Committee, stated in para 33 of his affidavit dated 25.12.2007 (Ex.645) that the above statement in the affidavits of the above referred Assistant Professors was not correct in the sense that the marks given for the qualification/ attainment of the candidates after the last date of applications, were to be taken into consideration only if the merit of 2 candidates was equal. According to him, what he explained to them was that the said marks were to be given to them and were to be taken into consideration in their academic evaluation for the posts of SRA (Agri.) and JRA (Agri.) since long time had elapsed from the date of advertisement.

ix) Meeting of the Selection Committee

a) Procedure at the Meeting

a-1) The format of the chart relating to particulars of the applicants marked as Ex. 45(O)

206) Dr.V.D. Patil (D.I), the Chairman of the Selection Committee, stated in para 37 of his affidavit dated 25.11.2007 (Ex.645) that at the time of interviews of the candidates for the posts of SRA (Agri.) and JRA (Agri.) on 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 some staff members from the Registrar’s office and the Assistant Professors/Associate Professor, who were nominated by him for verification of certificates/ research papers etc. and for giving marks regarding the same, were sitting in the meeting room of the Guest House. The Clerks of the Registrar’s office would first verify the documents/ certificates filed by each candidate with his application whose particulars were mentioned in the chart Ex.45(O) by requiring him to show the originals of the certificates/testimonials / documents filed by him with his application and also requiring him to put his signature against his name in the said chart Ex.45(O) to show his presence for the interview. As stated by Shri D.P.Deshmukh, Section Assistant (Estt.) in para 1 of his affidavit dated 31.5.2008 (Ex.759) the format of the chart Ex. No. 45(O) was prepared by him, and the said format contained particulars relating to the educational qualifications,

age, experience, publication, etc. of the applicants called for interview collected from the applications and the documents/certificates filed by them.

207) The said format of the chart relating to particulars of the applicants marked as Ex. 45(O) in this enquiry is as under :

List of the Candidates applied for the post of SRA (Agri.) & JRA (Agri.) under All Category													
Sr. No.	Name of Candidate	Date of Birth/ Age	Category	Qualification	Year of Passing	Experience	Money Receipt/DD No. & Date	Remarks					
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.

Res. Pub. :-

Awards :-

Extn. Art. :-

Talk :-

Pop. Art. :-

Sr. No. Applied for the post

The head “Sr.No.” in the above format refers to the No. of the application of the candidate given by the Registrar’s office and the head “applied for the post” includes all the applications made by him for both the posts and for all categories with their Sr.Nos.

a-2) Verification of the original documents/certificates of the candidates

208) In pursuance to the notice issued to the Registrar of the University on 7.8.2007 to submit in this enquiry the names and addresses of the employees who did the work of verification of the originals of the documents / certificates / testimonials of the candidates at the time of their interviews, the names of two employees along with their addresses were sent by fax in this enquiry by the Registrar office. Their names were as under :

1) Shri P.P. Tembhekar, Asst. Section Officer (Retired),

Plot No.29, “Jaiprabha”, Gokul Colony,

AKOLA (M.S.), Phone No. – 257256 ®

2) Shri S.N. Thakre, Section Officer (Retired) :

Kaulkhed Water Supply Road,

Balode Layout, AKOLA (M.S.), Phone No. 2443638 ®

In pursuance to the notice issued to them, the above employees of the Registrar's office appeared in this enquiry, and on the lines of their interrogation and statement, filed their affidavits on 24.8.2004 and 30.8.2007 marked as Ex.115 and Ex.179 respectively.

209) Shri S.N. Thakre, stated in his affidavit dated 24.8.2007 (Ex.115) that one day before the meeting of the Selection Committee for taking interviews of the candidates, the then Registrar told him that he would have to do the work of verification of the originals of the documents and certificates of the candidates appearing for interviews along with the other employees of the Registrar's office. According to him, at that time he was working as Assistant Section Officer in the Registrar's office. Further, according to him, there were three other employees working as Assistant Section Officer in the Registrar's office who were also directed by the Registrar to do the said verification work. He gave their names as under :

(1) Shri P.P.Tembhekar

(2) Shri D.N. Kale and

(3) Shri R.J. Palaspagar.

He then stated that they were all doing the said verification work as a team work.

210) Shri S.N. Thakre, stated in his affidavit dated 24.8.2007 (Ex.115) that for doing the verification work, they would receive on each day of interview from the Registrar's office a chart showing the names of the candidates appearing for interview on that day with their particulars regarding their educational qualifications, experience, etc. It may be seen that the said chart is the same as the chart which is marked collectively (i.e. charts of all the dates of interview) as Ex.45 (O) in this enquiry. He then stated that he and one other employee were doing the actual work of verification of the originals of the documents and certificates brought and shown to them by the candidates after they had shown their interview call letters to them. As regards the procedure of verification followed by them, he stated that one of them would tick mark upon the said chart Ex.45 (O) in token of verification of the originals of their documents/certificates shown to them by the candidates. He also stated that after all the documents / certificates shown to them by the candidate were verified by them, they would take his signature upon the said chart Ex.45 (O). He further stated that at the time of verification of the originals, they would verify only the originals of the documents/certificates relating to educational qualifications whose particulars were mentioned in the chart Ex.45(O) and if any candidate would show them, some documents/certificates about their additional educational qualifications, thesis submission or completion of Ph.D. after he had submitted his application they would not accept for verification such documents / certificates because he had not acquired the said additional qualification/s till the last date of application. According to him, the Registrar, had directed them to verify the originals of the documents and the certificates only as per

the chart Ex.45(O). He then stated that Shri Pravin V. Patil, S.No.955, did not show to them any documents regarding his thesis submission or completion of Ph.D. after submitting his application for the posts of SRA (Agri.) / JRA (Agril.). He also stated that the tick marking and whatever is written against his name in the chart (Ex.45(O)) was in his hand- writing but the hand-writing in the Remark's column was not his.

211) Shri S.N. Thakre, stated in his affidavit dated 24.8.2007 (Ex.115) that after the work of verification of the originals of the documents/ certificates of any candidate was over, he had made the remark "Verified" upon his interview call letter and put his signature below it. In support, he filed a true copy of interview call letter of one candidate Shri Abhijit B. Thakre, with his aforesaid affidavit dated 24.8.2007 (Ex.115) marked as Ex.113 in this enquiry. As regards the question whether any candidate called for interview, on the date given to him, was present or absent on that date, he stated that they had prepared an Attendance Sheet on a plain paper upon which his attendance (presence / absence) was noted by them. As a sample of such document, he filed in this enquiry the Attendance Sheet along with his aforesaid affidavit regarding the presence or absence of the candidates on the date of their interviews for the post of Assistant Professor which Attendance Sheet is marked as Ex.114 in this enquiry. He further stated that after the work of verification was over, they would hand over all the charts and documents to the Registrar.

212) Shri S.N. Thakre, stated in his aforesaid affidavit dated 24.8.2007 (Ex.115) that after the documents and the certificates of the candidates who were called for interview on the date given to them were verified by them, they would wait for their interview according to their turn as per their serial numbers in the chart Ex.45(O) as per which they were called for interview. He then stated that according to their remark "Verified" upon the interview call letter of the candidates, the Selection Committee would know that the originals of their documents/ certificates were verified by them. He then stated that since they were taking the signature of the candidate in the remark's column of the chart Ex.45 (O) against his name therein after verification of the originals of his documents/certificates, they would know from the said chart Ex.45 (O) whether he was present for interview or not. According to him, if the signature of the candidate was not there against his name in the chart Ex.45 (O), it would mean that he was absent. However, sometimes according to him, because of rush of work or because the Registrar had called them, it was possible that the signature of any candidate was not obtained against his name in the said chart Ex.45(O). He then stated that if there was "X" mark against the name of any candidate, it meant that he was absent for his interview. For instance, he pointed out that there was wrong ("X") mark against the name of Hiramath Sudhir K. at Sr.No. 486, which would mean that he was absent for his interview. According to him, there was right ("✓") mark against the names of the candidates who were present for interview.

213) After seeing interrogation (“?”) mark and the word “Sign” in the remark’s columns against the names of Patil Pravin V., Serial No. 955 and Sawdekar Sanjay K., S.No.1079. Shri S.N. Thakre, stated in his affidavit dated 24.8.2007 (Ex.115) that the said remarks were not in his hand-writing. He then stated that in the remark’s column, they were taking only the signatures of the candidates and were not writing any remark of any kind therein. After seeing that in some such columns of some candidates in the chart Ex.45 (O) there were some figures or numbers written he stated that they were not in their handwriting and that he did not know who had written such figures / numbers in the said columns.

214) Shri S.N. Thakre, then stated in his affidavit dated 24.8.2007 (Ex.115) that no candidate could appear for interview unless there was remark “verified” upon his interview call letter meaning thereby that the originals of his documents / certificates were verified by them. He then stated that they would prepare in triplicate the list of the candidates who were present for interview and that one copy of such list was given to the door-keeper of the room where the interviews were conducted and, the original to the Registrar. He further stated that it was according to the said list that the candidates were allowed to enter the room for their interviews. He then admitted that in the verification chart Ex.45 (O) he had verified the originals of the documents / certificates by tick marking them in pencil and if the candidate did not produce for verification the originals of any documents / certificates, he would make such remark about him in pencil in the said chart Ex.45 (O). He further stated that some such remarks were in the hand-writing of the other employees in the verification team some of whom wrote their remarks in pencil, some in ink.

215) Shri S.N. Thakre, lastly stated in his affidavit dated 24.8.2007 (Ex.115) that the chart Ex.45(O) which was supplied to them on each day of interview was supplied also to each member of the Selection Committee and that after the interviews were over, all the papers including the chart Ex.45(O) were deposited by them with the Section Assistant in the Registrar’s office . According to him, at that time, Shri D.P. Deshmukh, was looking after the said work as Section Assistant and therefore all such papers meaning thereby the attendance sheet and the chart regarding the information about the candidates etc. i.e. Ex.45(O) could be obtained from the concerned Section Assistant (Estt.)

216) Shri Prabhakar P. Tembhekar, who was working in the University and Retired as Assistant Section Officer stated in his affidavit dated 29.8.2007 (Ex.179) that after his retirement, his services were continued by the University on contract basis. He also stated that the then Registrar of the University had along with Shri S.N. Thakre, D.N. Kale and Shri R.J. Palaspagar, entrusted to him the work of verification of the originals of the documents / certificates of the candidates appearing for interview before the Selection Committee in this case. He further stated that on each day they were supplied with the chart giving all particulars and relevant information about the candidates appearing for interview on that day which chart was the same chart marked as Ex.45(O) in this enquiry. He then

stated that since there were many candidates appearing for interview on each day they would divide the charts of the candidates amongst themselves and thereafter would do the work of verification of the originals of the documents / certificates of the candidates appearing for interview on each day as per the chart Ex.45 (O). He then stated that the charts (Ex.45(O)) in which there were tick-marks in ink were mostly in his handwriting.

217) Shri P.P. Tembhekar, in his affidavit dated 29.8.2007 (Ex.179) corroborated the statements made in the affidavit of Shri S.N. Thakre, dated 24.8.2007 (Ex.115) about the manner in which the verification work was done. He particularly stated that they would not accept for verification of the original any document regarding the educational qualifications of the candidate or his research paper or Ph.D. degree if he acquired the same after the last date of application. He then stated that after their verification work was over, the Research Paper / Research Note/ Popular Article etc. of the candidate were being verified by the panel of the Assistant Professors appointed by the Chairman of the Selection Committee. According to him, the said Assistant Professors were sitting by their side in the same room. He stated that the Research Paper meant Research Article published in approved magazine. He further stated that such Research Papers or Articles published in News Papers or other Magazines (Research Paper/Research Note/ Popular Article etc.) produced by the candidate for verification before them were not verified by them to find out whether they were before or after the last date of application because the said work was done by the panel of the Assistant Professors but if Ph.D. degree was acquired by any candidate before the last date of applications, they would tick-mark it upon the chart Ex.45(O) but if it was after the last date of application, they would not accept it as valid and would not take any note about it. He also stated that he would make tick-mark in ink in the chart (Ex.45(O)) against the documents/certificates of the candidates verified by him. As regards any candidate who made application for the reserved seat they would verify whether he submitted his caste validity certificate or not and accordingly make a remark against his name in the chart Ex.45(O).

218) After seeing the verification made in regard to the candidates at Sr. No. 486, 955, 1069 and 1317 i.e. about Shri Hiremath Sudhir K., Patil Pravin V., Sawdekar Sanjay K., Waizade Prashant M., respectively, Shri P.P. Tembhekar, stated in his affidavit dated 29.8.2007 (Ex.179) that the said verification was not in his handwriting but according to him, he could identify the hand-writing of the other employees who did the work of verification of the originals of the documents / certificates of the candidates with him . He then stated that the verification work of the documents of Pravin V. Patil, at Serial No.955, was in the hand-writing of Shri S.N. Thakre. He also stated that in the remarks column against the names of Patil Pravin V. at Sr.No.955, Sawdekar Sanjay K., at Sr.No.1069, in the chart Ex.45(O), the remarks “?” and “Sign” were in the hand-writing of Shri S.N. Thakre. According to him, in the remark’s column, against the name of Waizade Prashant

M. at Serial No.1317 in the chart Ex.45(O), there was something written in pencil which appeared to have been erased.

219) Shri P.P. Tembhekar, stated in his affidavit dated 29.8.2007 (Ex.179) that if the candidate had not signed in the remark's column against his name in the chart Ex. 45(O), it would not mean that he was absent for the interview. He also stated that there was separate attendance sheet, in triplicate prepared by them, one copy of which would remain with them, another with the door-keeper of the room in which the interviews were conducted and the third with the Chairman of the Selection Committee. It was according to the above attendance sheet, and particularly the remark "Verified" upon the interview call letter that the Chairman and the members of the Selection Committee would know that the candidate was allowed entry for his interview, after verification of the originals of his documents and certificates. He then stated that except the Chairman of the Selection Committee and its members nobody else would remain present in the room where interviews were conducted. The original applications of the candidates with the documents/certificates annexed to them, were kept in the room where the interviews were conducted. He lastly stated that after the verification work was over on each day of interview, they would hand over all the charts Ex.45(O) and the attendance sheet to Shri D.P. Deshmukh, Section Assistant (Estt.), who was looking after the table relating to SRA and JRA in Registrar's office.

220) It is, however, pertinent to see that although the attendance-sheet of the candidates was prepared by the aforesaid clerks of the Registrar's office and the candidates were sent for interview as per the said attendance-sheet, there were no instructions issued to the said clerks that the candidates who had not shown their original documents/ certificates to them should not be sent for interview or if they were to be sent for interview prior permission of the Chairman of the Selection Committee should be obtained. It therefore, appears that even the candidates who had not shown their original documents/certificates and got them verified by the aforesaid clerks were also interviewed by the Selection Committee.

a-3) Format of the chart Ex.38(O) and contents thereof

221) Turning to the verification work done by the Assistant Professors/Associate Professor, appointed by Dr. V.D. Patil, (D.I.), the Chairman of the Selection Committee by his order dated 6.6.2005 (Ex.209) they were supplied with a chart by the Registrar's office filed in this enquiry with the affidavit of the University dated 18.7.2007 (Ex.1) and marked as Ex.38 (O). Shri D.P. Deshmukh, Section Assistant, stated in para 2 of his Affidavit dated 31.5.2008 (Ex. No. 759), that the format of the said chart Ex. 38(O) was prepared by him as per instructions and as directed by Dr. V.D. Patil, (D.I.), the Chairman of the Selection Committee. Perusal of the said chart (Ex.38(O)) titled "Marks of Thesis / Pub." in this enquiry would show that there were following columns in the format of the said chart.

Name of the post : Sr. Res. Asstt (Agri.) / Jr. Res.Asstt.(Agri.)

Sr.No.	Name of Candidate	Ph.D. Thesis Submission (8 marks)	Res.Paper Publication (10 Marks)	Signi. Contribution (5 marks)
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222) As regards the column” Ph.D. Thesis submission “(8 marks), Shri D.P. Deshmukh, Section Assistant stated in para 2 of his affidavit dated 31.5.2008 (Ex. No. 759) that the said column related only to Ph.D. Thesis Submission and not to Ph.D. Degree as such. He further stated that he did not know, who had scratched the words and the figure “submission (8 marks)” in the said column. However, according to him, there was no scratching in the said column when he handed over the said chart Ex.38(O) to the Assistant Professors/Associate Professor. He then stated that according to the instructions of Dr. V.D. Patil (D.I.), the Chairman of the Selection Committee, on the 1st page of the said Chart Ex.38(O) he had made the last column by writing the words in his own hand writing “Signi. Contribution (5 Marks)”.

223) In column-2 of the chart Ex.38 (O), there are computer entries of the names of the candidates to be called for interview made in alphabetical order from the “list of the candidates of SRA (Agri.) and JRA (Agri.) under all categories” marked as Ex.36 (O) in this enquiry. As regards the candidates appearing for interview from 13.6.2005 to 17.6.2005 against the name of the first candidate appearing for interview on each of the above dates, the date of interview is mentioned in pencil and as regards the candidates appearing for interview from 20.6.2005 to 25.6.2005, against the name of even the last candidate appearing for interview on each of the above dates, the date of interview is mentioned in pencil to show which candidates were appearing for interview on any particular date. The last page no.49 of the said Chart Ex.38 (O) contains the names of 7 graduates in Agriculture from YCMOU, who were to be interviewed for the post of JRA (Agri.). On the back side of page-21 of the said chart Ex.38 (O), there is a following note in pencil :

“Faculty members involved in verification of Research Papers w.e.f. 20.6.2005 to 25.6.2005.

- 1) Shri S.K. Aherkar, A.P. (Ento.)
- 2) Shri U.K. Lokhande , A.P. (Fisheries)
- 3) Shri N.R. Kosti, A.P. (Extension)”

224) On the backside of Page No.48 i.e. page before the last page containing the names of Graduates in Agriculture from YCMOU, the particulars of the criteria for academic evaluation of SRA/JRA are noted as under by Dr. K.B. Kale, Associate Professor (Plant

Pathology), for guidance as stated by him in para 3 of his affidavit dt. 14-9-2007 (Ex. 273) :-

Ph.D. Thesis 15.9.2004 last date after

Ph.D. Thesis submission - 8 Marks

2 marks for each publication - Maximum 10 Marks

Popular Article - 0.2 Mark

Sig. Contribution - 5 Mark

1st – 5 marks, 2nd - 4 , 3rd – 3, 4th – 2, and 5th – 1.

225) In the columns relating to Ph.D. Thesis submission, Research Paper/Popular Article, and / or Significant Contribution, the marks were given in pencil by the Assistant Professors/Associate Professor. In the column relating to Research Papers/Popular Articles, the total number of Research Papers and / or Popular Articles verified by them were also given. As regards the candidates who appeared for interviews from 20.6.2005 to 25.6.2005 and who were awarded by them the marks for Ph.D. degree or Thesis submission, the remarks were given by them referring to their Ph.D. Degree or Provisional Degree Certificate or Thesis submission, as the case may be with the dates on which they were issued/submitted. The horizontal red lines drawn by them in column titled Ph.D. Thesis submission and Research Papers publication against the names of some of the candidates would show that they were either absent for interview or even if present did not submit any documents/certificates for their verification. On the left side of the said chart, the total of the marks received by each candidate for his Ph.D. degree, Thesis submission, Research Papers, Popular Articles publication and / or Significant Contribution was shown by them in red ink. All the pages of the chart Ex.38 (O) except page Nos. 13, 14, 16, and 18 were signed by the Assistant Professors/Associate Professor concerned except Shri L.U. Lokhande.

a-4) Actual Verification work of the Assistant Professors/Associate Professor and award of marks by them to the candidates

226) As regards the work of verification of Ph.D. Thesis, research papers/ popular articles etc. all the Assistant Professors/Associate Professor, who did the said work as per the order of Dr.V.D. Patil, Director of Instructions and Dean, Faculty of Agriculture, Dr.PDKV, Akola, dated 6.6.2005 (Ex.209) filed their affidavits on the lines of their interrogation and statement in this enquiry. Dr. Anita B. Chore, Asstt. Professor (Agronomy) stated in para 2 of her affidavit dated 9.9.2007 (Ex.210) that she was filing with her affidavit the aforesaid office order dated 6.6.2005 issued by Dr. V.D. Patil marked as Ex.209 in this enquiry. She then stated in para 3 thereof that Dr.A.P. Karunakaran, Asstt.

Professor (Agronomy), Dr.K.B. Kale, Associate Professor (Pl.Pathology) and she herself did the above verification work as one team from 13.6.2005 to 17.6.2005.

227) Dr. Anita B. Chore, stated in para 4 of her affidavit dated 9.9.2007 (Ex.210) that after the aforesaid office order dated 6.6.2005 (Ex.209) was received by the Assistant Professors/Associate Professor named in the said order, Dr. V.D. Patil, D.I. and Dean, Agriculture, called their meeting at 4.'O' clock a day or two before the interviews commenced. She further stated that in the said meeting, he explained to them how the marks should be given to the various certificates, and research papers/popular articles submitted by the candidates for the posts of SRA/JRA. According to her, he told them that as regards Ph.D. Degree even if the candidate received only the copy of the notification regarding his eligibility to receive the said degree, he should be awarded 10 marks and if the candidate would show them the certificate regarding submission of thesis, he should be given 8 marks. Further, according to her, if the research paper of the candidate was published in an authorized journal, he should be given two marks for each such research paper and about its proof, they were told to verify his attested xerox copy to determine whether it was published in an authorized journal and also its date of publication. She then stated that for each popular article, he told them that they should give 0.2 marks subject to maximum of 10 marks inclusive of the marks for research paper. She further stated that for proof of popular article, it was sufficient if the candidate would show them the cutting from the News Paper, or the copy of the magazine, in which it was published, which would also show to them the date of its publication. What is important to be noticed in para 4 of her affidavit is that according to her, Dr.V.D. Patil, had told them that even if the Ph.D. degree was obtained, Thesis submitted, and research paper/ popular article published after the last date of application i.e. 15.9.2004, they should be accepted and given marks as shown above. She, however, stated that he did not give them any written copy of the above criteria for academic evaluation of SRA and JRA which he explained to them as stated above. She then stated that the instructions about giving marks to the candidates were given to them by Dr.V.D. Patil, on the first day of interview i.e. 13.6.2005 also when they went to the place where they were to do the verification work as per the order dated 6.6.2005 (Ex.209).

228) Dr. Anita B. Chore, stated in para 6 of her affidavit dated 9.9.2007 (Ex.210) that the chart titled "Marks of Thesis / Publication" marked as Ex.38 (O) in this enquiry was given to them by the Clerks, who were doing the work of verification of the original documents/certificates of the candidates appearing for their interviews and except the chart Ex.38(O), no other documents were given to them. She then stated in para 7 of her affidavit dated 9.9.2007 (Ex.210) that after seeing last page of the said chart Ex.38(O), the instructions were written on that page showing how the work of academic evaluation of the candidates should be done by them. She however, stated that she would not be able to tell the significance of the date 15.9.2004 written on the said page i.e. whether it meant that the

marks should be awarded by them for acquiring Ph.D. Degree, Thesis Submission, Publication of research paper/ popular article, and significant contribution before 15.9.2004 i.e. the last date of application or even after the said date. She however, stated that oral instructions given to them by Dr.V.D. Patil, were to give marks even if the acquisition of the aforesaid qualifications, thesis submission, publications of research papers / popular articles, and / or significant contribution was after the said date i.e. 15.9.2004 till the date of interview.

229) As regards the procedure of doing the verification work, Dr.Anita B. Chore, the Assistant Professor (Agronomy), stated in para 8 of her affidavit dated 9.9.2007 (Ex.210) that they did the said verification work on the dates of interviews of SRA/JRA from 13.6.2005 to 17.6.2005 and for doing the said verification work they viz. Dr. A.P. Karunakaran, Shri K.B. Kale and she herself were sitting next to the University clerks who were allotted the work of verification of original certificates/ documents of the candidates. She then stated that after the original documents / certificates of the candidates appearing for the interviews were verified by them, they would come to them and show their original documents i.e. PDC / notification and certificate of submission of their thesis and as regards research paper/ popular article, they would show them the attested copies / original documents. She also stated that they did the verification work of the documents/certificates of the candidates from Sr. No. 1 to Sr.No.607 in the said chart Ex.38(O).

230) Dr.Anita B. Chore, stated in para 9 of her affidavit dated 9.9.2007 (Ex.210) that the word “Submission” and the figure and the word “8 marks” in bracket below it in the column about Ph.D. thesis submission were deleted by scratching them. The reason according to her, was that they had to award marks also for Ph.D. Degree and not only for thesis submission. She then stated that although in the printed form, there was no column about significant contribution carrying 5 marks, it appeared that perhaps in the hand-writing of Shri K.B.Kale, the said column about the significant contribution was made because marks were to be awarded under the head “ Significant Contribution” if any candidate had made such contribution. She also stated that as regards the marking system, the marks were given in the said chart in pencil, and on the left hand side, the total marks awarded to each candidate were shown in red ink. According to her, the dates of interview were also shown in pencil, on the left hand side of the said chart Ex.38(O). Further, according to her, they had drawn horizontal lines in red ink against the names of the candidates who did not produce any document regarding Ph.D. thesis, research paper, popular article etc.

231) Dr.Anita B. Chore, stated in para 10 of her affidavit dated 9.9.2007 (Ex.210) that distribution of work amongst them i.e. Dr.A.P. Karunakaran and K.B. Kale, and she herself who did the work of verification together as a team was that she verified Ph.D. Certificate and the Certificate of submission of Ph.D. thesis of the candidate, and Shri K.B. Kale did the work of verification of research papers and popular articles. She further stated that, they

together decided the marks to be given to the candidates under each of heads and then Dr.A.P. Karunakaran wrote the said marks, number of research papers / popular articles and the total marks etc. of each candidate in the chart Ex.38(O). She then stated in para 11 that they did not make any fair and final copy of the chart Ex.38(O) and she did not know whether the said chart Ex.38(O) was returned back to the verifying clerks or to anybody else after the interviews were over because after their verification work was over she did not wait for the work of calculation of marks to each candidate which work was done by Dr.A.P. Karunakaran, and Dr. K.B. Kale. In para 12, she stated that she had put her signatures only on pages 1 and 22 of the chart Ex.38 (O) and Dr.A.P. Karunakaran, did not sign any page of the said chart Ex.38 (O) although he had done the work of verification of the certificates/documents of the candidates appearing for interviews. She however, stated that Dr. K.B. Kale, had signed all the relevant pages of Ex.38(O) except pages 13,14, 16 and 18 which pages were not signed by any of them although they did the verification work of the documents/certificates submitted by the candidates whose names appeared in the said pages also.

232) When Dr.Anita B. Chore, was pointed out some specific cases of the candidates from the Chart Ex.38(O) she had given her say regarding them in paras 13 to 17 of her affidavit dated 9.9.2007 (Ex.210). When she was asked what she meant by the words “already given” written in the column “Ph.D. thesis” of the chart Ex.38(O), she stated that, according to her, it meant that he had already received his Ph.D. degree certificate and annexed it or its attested copy to his application submitted by him on or before 15.9.2004. As regards the candidate Gite Bharad D. at Sr. No.439 of the chart Ex.38(O), she admitted that there was a mistake committed by them in calculating the total marks awarded to him because although he received three marks under the head “Significant Contribution” for his work in the proposal for varietal release of certain crops as his name was in the third place in the said proposal and 10 marks under the head “Research Paper / Popular Article”., the said 3 marks awarded to him for “Significant Contribution” were not taken into account and the total marks he was awarded were 10 only instead of 13.

233) As regards the candidates Bidwe Kishor U., (at Sr.No.134), Goud Vikas V. (Sr.No. 463), Bharad Swati G. (Sr.No.98), Gajbhiye Vandana R. (Sr.No. 381), Gawande Praffulla D (Sr.No.408), and Kadam Priti M. (Sr. No. 566), in the chart relating to the particulars of the applications i.e. Ex.45(O), it was not shown that they had acquired Ph.D. Qualification but they were given 10 marks by them in the verification chart (Ex.38(O)). Dr. Anita B. Chore, stated in para 15 of her affidavit dated 9.9.2007 (Ex.210) that, according to her, the reason was that they must have shown to them their Ph.D. Certificate or notification showing that they had acquired Ph.D. qualification after 15.9.2004.

234) So far as the candidate Joshi Prashant S. (Sr. No.555) was concerned, Dr. Anita B. Chore stated in para 15 of her affidavit, dated 09.09.2007 (Ex. No. 210) that although the

remark made by the verifying clerk against his name at Sr. No.555, in the chart relating to the particulars of the applications Ex.45(O) was that the original degree certificate of Ph.D. was not submitted by him for verification, they had still given the remark “already given” in the column about “Ph.D. Thesis” in the chart Ex.38 (O) and had also shown (10) marks to him for his Ph.D. but, according to her, these 10 marks were not counted while showing his total marks. She then stated in para 16 that before showing (10) marks to Shri Joshi Prashant S. (Sr. No.555) after giving remark “already given” they had not actually checked from the verifying clerk whether he had shown original of Ph.D. Certificate to him nor they had asked him about the same. She further stated that infact wherever they had given remark “already given” in the column about Ph.D. they had not counted those marks in the total marks given by them to such candidates. She however, admitted that as regards their remarks “already given” they had not seen whether such a candidate was actually given 10 marks for his Ph.D. degree or not but they had inferred the said marks from the document regarding Ph.D. degree shown to them as it was prior to 15.9.2004.

235) As regards 10 marks which they had awarded for Ph.D. degree acquired by the candidate after 15.9.2004, Dr. Anita B. Chore stated in para 15 of her affidavit, dated 09.09.2007 (Ex. 210) that such a candidate had shown to them Ph.D. degree certificate or notification in support thereof and that in his case while counting his total marks they had counted 10 marks which they had awarded to him for his Ph.D.degree acquired after 15.9.2004. She then stated in para 16 that as regards the candidates who acquired Ph.D. qualification, submitted Ph.D. thesis or published, research papers/popular articles after 15.9.2004 they did not retain such documents with them.

236) As regards the candidates whose total number of research papers and popular articles as shown by them in the chart Ex.38(O) did not tally with their total number as shown in the chart relating to particulars of their applications Ex.45(O) i.e. either the number was more or less, Dr.Anita B. Chore, stated in para 17 of her affidavit dated 9.9.2007 (Ex.210) that the reason was that when they scrutinized the research papers/popular articles submitted by each candidate before them they found that all his research papers/popular articles did not satisfy the requirements of being treated as a research paper or popular article and therefore they gave marks only to such research papers/ popular articles which satisfied their requirements and accordingly calculated the total number of valid research papers and popular articles submitted by each candidate. Further, according to her, in some cases, the candidates had shown them the research papers and popular articles, which were published after 15.9.2004 and for that reason also there appeared to be difference in the calculation of the total number of research papers and popular articles shown to them by such candidates and mentioned in the chart Ex. 38(O) and their total number shown in the chart relating to particulars of the applications

(Ex.45(O)). She mentioned in the said para 17 the names of the following of candidates in whose cases such discrepancies occurred :

Dhomne Ku.Madhuri B. (S.No.327), Bagade Anmol B. (S.No.49), Barabde Ku. Neeta P. (S.No.67), Jadhav Satishchandra M. (S.No.518), Jagtap Ku. Amrapali P. (S.No.532), Jaybhaye Pralhad R. (S.No.544), Aghe Vijaykumar E. (S.No.1), Ambadkar Chandrashekhar (S.No.14), Anuje Appasaheb A. (S.No.28), Banginwar Atul D. (S.No. 61), Bhele Priti M. (S.No.104), Bhende Shashikant N. (S.No.106), Bonde Abhijit N. (S.No.147), Choudhari Sudhakar W. (S.No. 183), Chaudhari Anant E. (S.No.184), Dahifale Amol V. (S.No.222), Deshmukh Manish R. (S.No.269), Dhait Ravindra H. (S.No.307), Dhande Homraj N. (S.No.311), Dutonde Shivanand N. (S.No.353), Ganvir Ganesh B. (S.No.388), Garad Laxman P. (S.No.390), Gupta Vinod R. (S.No.473), Hajare Sunil T. (S.No.478), Kadu Arvind R. (S. No.572), Bhongle Sudhir A. (S.No.113), Choudhari Balu N. (S.No.175), Deogirikar Amit A. (S.No.240), Deshmukh Anant J. (S.No.249), Kale Samir N. (S.No.591), Bagade Ashish D. (S.No.46), Jayewar Naresh E. (S.No.545), Alukar Kavita P. (S.No.32), Choudhari Ratan R. (S.No.181), Deshmukh Mahesh S. (S.No.267), Jadhao Anupita H. (S.No.520).

237) In paras 18 and 19 of her affidavit dated 9.9.2007, (Ex.210) Dr.Anita B. Chore, explained how the marks were awarded to the candidate out of maximum marks 5 in descending order if a candidate made any significant contribution. She stated therein that as regards “Significant Contribution” the marks were awarded to any candidate in the descending order as per the sequence of the name of Scientist and / or Associates with the varietal release or Scientific recommendation proposal. She then stated that Scientific recommendation proposal meant a scientific recommendation made by a worker or team of workers regarding any Agricultural aspect, beneficial to the agriculturist from the point of view of crop production, if such recommendation was accepted by Joint AGRESCO “a collaboration of four Agriculture Universities in Maharashtra and the State Government officials”. According to her, 5 marks were given to the Scientist who was the leader of the project or varietal release proposal, 4 marks to the associate of the proposal or project and subsequent 3, 2, 1 marks to 3rd, 4th and 5th name in the proposal or project. She then stated in para 19 that ordinarily, it was difficult for any candidate applying for the posts of SRA and JRA to be in the first or second position in such proposal or project as the first position would normally go to the leader of the project i.e. the Professor and the second position to either Associate Professor or Assistant Professor. She then stated that ordinarily there were not more than 5 persons in the team working on any proposal or project but if there were more than 5 persons, 5th and each subsequent person/s would get one mark for “Significant Contribution” as per the criteria laid down by the University.

238) Dr.A.P. Karunakaran, Assistant Professor (Agronomy), who along with Dr.K.B. Kale, and Dr. Anita B. Chore, was directed to do the above verification work on the dates

of interviews from 13.6.2005 to 17.6.2005 as per the office order of Dr.V.D. Patil, dated 6.6.2005 (Ex.209), stated in para 3 of his affidavit dated 14.9.2007 (Ex.274) that after the aforesaid order dated 6.6.2005 (Ex. 209) was issued, Dr. V.D. Patil, the Director of Instructions, Dean Faculty of Agriculture, called the meeting of all the Assistant Professors/Associate Professor concerned about a week before the date of commencement of the interviews in which he told them that they were to check and verify only Ph.D. degree Certificate / notification, certificate of thesis submission, research papers/ popular articles, and / or documents about significant contribution etc. which were of the dates after the last date of application for the posts of SRA and JRA i.e. 15.9.2004, and give them marks under the said heads except that so far as the research papers/ popular articles were concerned, all of them whether submitted before or after the last date of application i.e. 15.9.2004 were to be verified and given marks accordingly. He then stated that Dr.V.D. Patil told them in the said meeting that giving marks for thesis submission, research papers and popular articles submitted by the candidates before them which were after the last date of application i.e. 15.9.2004 were only for the purpose of “Upgradation” in the sense that if there was any tie in the marks given to the candidates, they would consider the marks given to them regarding the above documents which were after last date of application i.e. 15.9.2004 and submitted before them for the first time at the time of their interviews. He then stated that Dr. V.D. Patil, did not give them any paper in writing about giving of marks to the candidates under each of the above heads but told them only orally about it. He also stated that in the morning on 13.6.2005, i.e. the date on which the interviews commenced, no instructions as such were given to them by Dr.V.D. Patil but Dr. A.B. Chore, had gone to him for getting confirmation about the instructions issued by him in the aforesaid meeting.

239) Dr.A.P. Karunakaran, explained in para 4 of his affidavit dated 14.9.2007 (Ex.274) as to what was meant by “Significant Contribution” and how the marks were to be given under the said head. He stated that Significant Contribution meant innovative technique or release of variety of crop. According to him, Dr.V.D. Patil, had told them in the aforesaid meeting that the marks should be given in descending order for the proposal of Significant contribution, the maximum being 5. He explained that what was meant by descending order was that the person who was at first place in the proposal should be given 5 marks and the persons who were 2nd, 3rd, 4th and 5th places should be given 4,3,2 and 1 marks respectively. He also stated that as regards Significant Contribution, they would give marks to the candidate if his significant contribution was after 15.9.2004 i.e. the last date of application.

240) As regards the procedure of verification work and award of marks to the candidates, Dr. A.P. Karunakaran, Assistant Professor (Agronomy) has dealt with the said question in paras 5 to 7 of his affidavit dated 14.9.2007 (Ex.274). He stated in para 5 thereof that Dr. K. B. Kale, Dr. A. B. Chore and he himself were in one team and they did the verification

work together on the dates of interviews from 13.06.2005 to 17.06.2005. He then stated that for doing the said verification work, they were given only the chart marked as Ex.38(O) in this enquiry by some clerks from the Registrar's office when they were sitting at the table next to the table where some clerks from the Registrar's office were doing the work of verification of the originals of the certificates/documents annexed by the candidates to their applications. As stated by him in para 6, the Chart (Ex.38(O)) was given to them in the morning on each day of interview which was returned by them to the concerned clerks of the Registrar's office in the evening when their work was over. He admitted that the Chart (Ex.38(O)) was not sent by them to the Chairman of the Selection Committee at any time during the interviews or after the interviews were over. Further, as stated by him, in para 7 they had done the verification work of the candidates from Sr.No. 1 to Sr.No.607 in the Chart Ex.38(O).

241) Dr. A. P. Karunakaran, Assistant Professor (Agronomy) stated in para 5 of his affidavit dated 14.09.2007 (Ex. 274) that after the originals of the documents/ certificates submitted by the candidates were verified by the above said clerks from the Registrar's office who were assigned the said work, the said candidates would come to them for verification and for award of marks to them regarding their Ph.D. degree certificate/notification, certificate of Thesis Submission, research papers/ popular articles and / or significant contribution etc. According to him, as regards research papers/popular article, they were giving marks to all research papers and popular articles, whether submitted along with their applications by the candidates or produced before them for the first time on the dates of their interviews. He admitted that they did not retain the documents relating to Ph.D. degree certificate/ notification, certificate of thesis submission, research papers, popular articles and / or significant contribution etc. submitted by the candidates for the first time before them at the time of their interviews i.e. after the last date of application i.e. 15.9.2004 and that they did not also give any remarks in the chart Ex. 38(O) against the names of the candidates that they had produced the aforesaid documents/certificates for the first time before them, to show that he produced them after 15.9.2004 i.e. after the last date of application. According to him, only in the case of Ambadkar Chandrashekhar, (S.No.14) while giving him 8 marks, they had written in pencil the words "submitted". Further, according to him, if the candidate had submitted the Ph.D. degree certificate alongwith his application, they had given the remark in pencil in the column about Ph.D. Thesis "already given (10)".

242) After seeing the above chart Ex.38(O) Dr. A. P. Karunakaran, Assistant Professor stated in para 7 of his affidavit dated 14.09.2007 (Ex. 274) that the hand-writing in pencil and giving of the marks in the columns in the said chart was mostly his but the total marks awarded to the candidates in red ink and shown on the left hand side of the said chart Ex.38(O) were in the hand-writing of Dr.K.B.Kale. He then stated in para 13 that although

he had done the verification work as stated above, he had not put his signature upon any of the sheets of the chart Ex.38(O) because, according to him, he did not know that each of the sheets of the said chart had to be signed by him. He also stated that his colleagues who had put their signatures upon the said chart Ex.38(O) must not have put their signatures in his presence because otherwise, he would have also put his signature upon the sheets in the said chart. According to him, they would complete their verification work upto 3.30 PM or 4.00 PM but he would not be able to tell whether the interviews of the candidates were over by that time.

243) As regards the specific cases about their verification work and award of marks to the candidates as seen from the chart Ex.38(O), Dr. A. P. Karunakaran, Assistant Professor (Agronomy) has dealt with them in paras 8 to 12 of his affidavit dated 14.09.2007 (Ex. 274). He stated in para 8 that they had given 8 marks in the Chart Ex.38 (O) to the candidates Ambadkar Chandrashekhar, Sr. No. 14, Chandan Premlata M., Sr.No. 164, Hodole Sandip S., Sr. No. 475, Hadole Satiskumar M., Sr. 476, Ingole Yogesh V., Sr. 509, who had submitted their thesis after the last date of application i.e. 15.9.2004 and that they had taken into consideration the said marks in calculating the total marks to be awarded to them.

244) Dr. A. P. Karunakaran, Assistant Professor (Agronomy) stated in para 9 of his affidavit dated 14.09.2007 (Ex. 274) that Bhagat Ganesh R., Sr. No. 83, Bharad Swati G., Sr. No. 98, Bidwe Kishor U., Sr. No. 134, Gajbhiye Vandana R., Sr. No. 381, Gawande Prafulla D., Sr.No. 408, Goud Vikas V., Sr. No. 463 and Kadam Priti M., Sr.No.566 had acquired Ph.D. degree after the last date of application i.e. 15.9.2004 and they were given 10 marks for the same which marks were taken into account while calculating the total marks awarded to them.

245) About the remarks “already given (10)” in the column relating to Ph.D. Thesis, in the chart Ex.38(O) against the names of the candidates given in para 10 of his affidavit dated 14.09.2007 (Ex. 274), viz., Agrawal Sonia A., Sr. No. 7, Atkare Vilas G., Sr.No. 93, Bhalerao Gajanan A., Sr.No. 91, Bhalkare Sunil K., Sr. No. 94, Chinchmalatpure, Sr. No. 205, Choudhari Ashish A, Sr. No. 214, Darbha Sudha, Sr. No. 234, Dudhe Mangesh Y., Sr. No. 349, Ingle Sunil T., Sr.No. 508, Jadhav Satishchandra M., Sr. No. 518, Joshi Prashant S., Sr. No. 555, Kankal Dyneshwar S., Sr.No. 607, Dr. A. P. Karunakaran, Assistant Professor (Agronomy) stated that the said remarks would mean that they had acquired Ph.D. degree prior to 15.9.2004 and hence 10 marks shown against their names were not taken into account while calculating the total marks shown by them against their names.

246) As Regards Gite Bharat D. (S.439), Dr. A. P. Karunakaran, Assistant Professor (Agronomy) admitted in para 12 of his affidavit dated 14.09.2007 (Ex. 274) that he was given 3 marks under the head “Significant Contribution” for his third place in the proposal

for varietal release of crop but through oversight according to him, the said marks were not included while calculating the total marks to be awarded to him which were therefore calculated as 10 instead of 13.

247) After seeing the Chart about the particulars of the applications filed by the candidates marked as Ex.45(O) in this enquiry and after comparing it with the Chart Ex.38 (O) in which they had made the entries and awarded the marks, Dr.A.P. Karunakaran stated in his affidavit dated 14.9.2007 (Ex.274) that there was difference in the number of research papers and popular articles, filed by the candidates with their applications, as shown in the chart Ex.45(O) and the number of research papers and popular articles shown by them in their chart Ex.38(O). He admitted that in some cases, the number of such research papers and popular articles shown in their chart Ex.38(O) was more than the number of research papers and popular articles shown in the chart about the particulars of the applications Ex.45(O) and in some cases the said number was less in their chart Ex.38(O) than the number shown in the chart Ex.45(O). According to him, the reason why they had shown less number of research papers and popular articles in their chart Ex.38(O) was that the research papers and popular articles shown to them by the candidates for their verification did not satisfy the requirement thereof i.e. as regards research papers, they were not published in authorized journal and their abstract might have been published in the proceedings of the National workshop or Seminar, and as regards popular articles, the candidates might not have shown their paper cutting or publication in magazines. Further, according to him, in case the number of such research papers and popular articles was more in their chart Ex.38(O) than their number in the chart about the particulars of the application Ex.45(O), apart from the above reason, one more reason was that additional number of such research papers and popular articles which were published after 15.09.2004 might have been shown to them for their verification and award of marks.

248) Dr. K. B. Kale, Associate Professor (Plant Pathology), stated in para 5 of his affidavit, dated 14.09.2007 (Ex. 273) that he alongwith Dr. A. P. Karunakaran and Dr. A. B. Chorey did the work of verification of thesis, research papers/popular articles, etc. in one team from 13.06.2005 to 17.06.2005. He also stated in para 3 thereof that after the aforesaid order dated 06.06.2005 (Ex. 209) was issued by Dr. V. D. Patil, D.I. and Dean, Faculty of Agriculture, he had called the meeting of the Assistant Professors/Associate Professor who were assigned the above verification work and had explained to them how the verification work should be done and how many marks should be awarded for various heads such as Ph.D. thesis submission, research papers, popular articles and significant contribution. He then stated that accordingly he noted the said instructions on the reverse side of page No. 48 of the chart Ex. 38(O) for guidance. He further stated in para 4 that according to the said instructions they were told to give marks to the candidate for their Ph.D. degree, thesis submission, research papers/popular articles, and significant contribution, if they had

submitted certificates/documents relating thereto before the last date of applications and not thereafter:

249) Dr. K. B. Kale, Associate Professor (Plant Pathology) stated in para 6 of his affidavit dated 14.09.2007 (Ex. 273) that at the time of interviews he was supplied with the chart Ex. 38(O) only and no other document, by the clerks of the Registrar's office sitting on another table for doing the work of verifying the originals of the documents/certificates of the candidates appearing for the interviews. He also stated that, the total of the marks given by his team to each candidate was written by him in red ink on the left hand side of the chart Ex. 38(O) on each day of interview from 13.06.2005 to 17.06.2005 before returning the said chart on each day to the above mentioned verifying clerks of the Registrar's office. He then stated in para 7 of his aforesaid affidavit that, during the interviews from 13.06.2005 to 17.06.2005 they had done the verification work in regard to the candidates whose names were from Sr. No. 1 to Sr. No. 607 on pages 1 to 22 of the said chart Ex. 38(O). He further stated therein that he had signed each page of the chart (Ex. 38(O)) except its pages 13, 14, 16 and 18, which remained to be signed by him through oversight.

250) As regards the manner in which the verification work was done by them, Dr. K. B. Kale, Associate Professor, (Plant Pathology) stated in para 7 of his affidavit dated 14.09.2007 (Ex. 273) that since they worked as a team, some of the said writing and giving of marks in pencil were in his own handwriting and some were in the handwriting of his other colleagues. According to him, the lines in red ink were drawn by him against the names of some of the candidates at the time of calculating their total number of marks to show that they did not show them any papers for verification and therefore did not get any marks. He then stated that while working together, one of them would see the documents brought by the candidates and they would satisfy whether they were research papers/popular articles or not by finding out whether they were published in authorised journal, in the case of research papers, and magazines and newspapers in the case of popular articles. As regards Ph.D. degree or thesis submission, he stated that they would verify the dates on which the Ph.D. certificate/notification or certificate of submission of thesis was issued and similarly as regards research papers/popular articles, they would verify the dates of their publication. According to him, thereafter, they would all decide how many marks should be awarded to the candidates under the above heads. He then stated that if any candidate would show them the Ph.D. degree certificate/notification, certificate of submission of thesis, research papers and popular articles which were later than the last date of application i.e. 15.09.2004, they would not take them into consideration and return them to him.

251) It may be seen that the statement of Dr.K. B. Kale, Associate Professor (Plant Pathology) was recorded for two days i.e. 12.07.2007 and 13.07.2007. When the recording of his

statement was to be continued on 13.07.2007, he stated at the outset that after giving thought to the marking system followed by them, he now recollected that it was as follows. Accordingly, in para 8 of his affidavit dated 14.07.2007 (Ex. 273), he stated that as regards the marking system, Dr. V. D. Patil (D.I.) and Dean, Faculty of Agriculture told the Assistant Professors/Associate Professor in the meeting called by him after the aforesaid order dated 06.06.2005 (Ex. 209) was issued to them that they should give marks to the provisional degree certificate/notification, submission of thesis, research papers/popular articles which were submitted for the first time before them at the time of interviews i.e. after the last date of the applications was over because all such documents/certificates which were filed alongwith their applications were already given marks and therefore it was not necessary for them to give marks to such documents/certificates.

252) As regards the research papers and popular articles, Dr. K. B. Kale, Associate Professor (Plant Pathology) stated in para 8 of his affidavit dated 14.07.2007 (Ex. 273) that they verified all the research papers and popular articles, whether they were filed by the candidates alongwith their applications or were produced by them for the first time before them at the time of their interviews because they had to see whether the said documents filed by them satisfied the requirement of either being research papers or popular articles. He also stated as regards research papers, they treated only such research papers as valid which were published in authorized journals and as regards popular articles there was no such criteria for the same as they could be published in any newspaper/magazine. He then stated that about Ph.D. degree they did not have any instructions and they did not accept any documents about Ph.D. degree acquired by the candidates. He however, stated that Dr. V. D. Patil, had told them in the aforesaid meeting that giving marks for the thesis submission, research papers and popular articles submitted by the candidate before them which were after the last date of application i.e. 15.09.2004 were only for the purpose of “upgradation” in the sense that if there was any tie in the marks given to the candidates they would consider the marks given to them regarding the above documents which were after the last date of submission of applications i.e. 15.09.2004 and submitted before them for the first time at the time of their interviews.

253) Dr. K. B. Kale, Associate Professor, (Plant Pathology) stated in para 9 of his affidavit dated 14.09.2007 (Ex. 273) that as regards the research papers and popular articles they did not decide as to how many research papers and popular articles were submitted by the candidates alongwith their applications and how many were submitted by them for the first time before them after the last date of application i.e. 15.09.2004. According to him, they had given marks only to the total number of research papers/popular articles, which were submitted before them by the candidates after their scrutiny/verification. He admitted that they did not retain any of the documents submitted by the candidates for the first time before them and there was no remark in the chart (Ex. 38(O)) against the names of any of

the candidates whether they had submitted their thesis after the last date of application for the first time before them.

254) Dr. K. B. Kale, Associate Professor (Plant Pathology) stated in para 10 of his affidavit dated 14.09.2007 (Ex. 273), that in calculating the total marks given to each candidate in the chart Ex. 38(O), they did not take into account the marks awarded to him for the documents under the aforesaid heads which he filed alongwith his application except the marks given to him, by them for their research papers/popular articles. He however, admitted therein that in the chart Ex. 38(O) Bhagat Ganesh J., Sr. No. 83, Bharad Swati G., Sr. No. 98, Bidwe Kishor V., Sr. No. 134, Gajbhiye V. R., Sr. No. 38, Gawande Prafulla P., Sr. No. 408, Gholve Vikram M. Sr. No. 428, Gaud Vikas V., Sr. No. 463, Kadam Priti M., Sr. No. 566 were given 10 marks which were taken into account while calculating the total marks awarded to them. He then stated that the candidates who satisfied them about their thesis submission after the last date of application i.e. 15.09.2004 were given 8 marks by them which were taken into account while calculating their total marks. According to him, such candidates, who submitted their thesis after the last date of application i.e. 15.09.2004 were Ambadkar Chandrashekhar, Sr. No. 14, Chandan Premalata M., Sr. No. 164, Hadole Sandip S., Sr. No. 475, Hadole Satishkumar M., Sr. No. 476, Ingle Yogesh V., Sr. No. 509. He further stated that he could not tell whether the 10 marks awarded to the above candidates were for their thesis submission or for any other purpose.

255) As regards the head of “significant contribution”, Dr. K. B. Kale, Associate Professor, (Plant Pathology) stated in para 11 of his affidavit dated 14.09.2007 (Ex. 273) that Dr. V. D. Patil, (D.I.), the Chairman of the Selection Committee told them in the meeting referred to above that the marks should be given in descending order according to the places which were given to the persons who were involved in finding out new varieties in crop, new techniques, etc. In other words according to him, a person who occupied the first place in such proposal was to be given 5 marks, second 4 marks, third 3 marks, fourth 2 marks and fifth 1 mark, the maximum marks being 5. Further, according to him, if there were two different candidates who were involved in such proposal they would be independently entitled for the marks for significant contribution according to the places which they were given in such proposal. When questioned about Shri Gite Bharat D. at Sr. No. 439 of the chart Ex. 38(O), he admitted in para 12 that under the head of “significant contribution” 3 marks were given to him for varietal release proposal in which his name appeared at the third place, but through mistake according to him, while calculating the total marks awarded to him, the said 3 marks were not taken into account and therefore instead of 13 the total marks given to him were 10.

256) As per the order of Dr.V.D. Patil (D.I & Dean, Agriculture) dated 6.6.2005 (Ex.209), the team of Dr.Lokhande L.U., Assistant Professor (Fisheries), Dr. S.K. Aherkar, Assistant Professor (Ento.) and Dr. Kosti N.R., Assistant Professor (Extension) did the

work of verification of certificates, research papers/popular articles etc. on the dates of interviews from 20.6.2005 to 25.6.2005. Dr.L.U. Lokhande, stated in his affidavit dated 5.9.2007 (Ex.194) that he, along-with his above colleagues was assigned the work of giving marks to the research papers, other articles published in the news papers and magazines, and Ph.D. thesis which they did when the candidates submitted them before them at the time of their interviews from 20.6.2005 to 25.6.2005. He then stated that for doing the aforesaid verification work, an order in writing was given to him but he did not remember who had given that order to him. He also stated that the said order was not with him today (i.e. the date on which his statement was being recorded in this enquiry) but if he found it, he would submit it in this enquiry.

257) Dr. L.U.Lokhande, stated in his affidavit dated 5.9.2007 (Ex.194) that the clerk from the Registrar's office had given to them the chart Ex.38(O) which was shown to him in this enquiry. He then stated that the said clerk also explained to them how the marks should be awarded to the candidates. According to him, the said system of awarding marks to the candidates might have been written upon the last page of the said chart Ex.38(O) by Dr. S.K. Aherkar, or Dr. N.R. Kosti. The said Clerk from the Registrar's office, according to him, also told them that the marks should be awarded to the research papers of the candidates, other articles published by them in the news papers and magazines, and Ph.D. thesis submitted by them, till the last date of application i.e. 15.9.2004 as per the system of giving marks told to them by him.

258) As regards the procedure of verification work followed by them, Dr. L.U. Lokhande, stated in his affidavit dated 5.9.2007 (Ex.194) that on the date of interviews, their team of Assistant Professors was doing their verification work next to the table upon which the other employees of the University were doing their work of verifying the original documents/ certificates of the candidates appearing for interviews. According to him, after the original documents / certificates of the candidates appearing for interviews were verified by the aforesaid employees of the University, the said candidates would come to them and after verification of their research papers, other articles published in the news papers and magazines, and of their Ph.D. thesis, they were awarding marks for the same to the said candidates. He then stated that they were doing the said verification work together as a team. In other words, according to him, one of them was doing the work of verifying research papers, other articles published by the candidates in the news papers and magazines, and also thesis for Ph.D. submitted by them and counting them and one of them was awarding them marks for the same in the chart Ex.38(O).

259) Dr.L.U. Lokhande, A.P., stated in the said affidavit dated 5.9.2007 (Ex.194) that he would not be able to tell who had given in blue ink the title "significant contribution (5 marks)" to the column upon the first page of the chart Ex.38(O). He however, stated that it was not in his hand-writing. He then stated that the nature of their verification work was as

follows. According to him, after the candidate had shown to them his research papers, other articles published in the news paper and magazines or his thesis for Ph.D., they would determine what their subject was and then find out whether it was in regard to subject in which, the candidate had passed M.Sc. examination or was doing Ph.D. Further, according to him, if the candidate did not show them the original research paper or the article published in the news paper or magazine, they would ask him to bring attested copy of the same. He then stated that they would also verify the date on which, the research paper, other article was published in the news paper or magazine, and the Ph.D. thesis was submitted by verifying their dates and would then determine whether it was prior to 15.9.2004 or after the said date. According to him, he felt that if the above referred documents were after 15.9.2004 they would return them back to the candidate and would not give him any marks for the same but he was not sure about it.

260) Dr. L.U. Lokhande, A.P., stated in his affidavit dated 5.9.2007 (Ex.194) that he had seen the whole chart Ex.38(O). He then stated that they had done the verification work of the documents/ certificates of the candidates from Sr.No.608 in the chart Ex.38(O) till the name of the last candidate in the said chart who appeared for interviews from 20.6.2005 to 25.6.2005 i.e. the last date of interview. According to him, the marks awarded to the candidates in the said chart and remarks about some candidates therein, were not in his handwriting because, his handwriting was not good. He, however, stated that whatever was written in the said chart was with the concurrence of all of them and accordingly the marks were awarded to the candidates. He then stated that he would not be able to tell anything about the marks given to the candidates in pencil in the said chart or any other matter written about them or about the marks awarded in red ink or about the lines drawn in red ink against the names of some candidates in the chart Ex.38(O).

261) Dr. L.U. Lokhande, stated in his affidavit dated 5.9.2007 (Ex.194) that he did not know whether some of the candidates had submitted the documents/certificates before them for verification which were after the last date of application and were given marks for the same in the chart Ex.38(O). He then stated that he did not know why some candidates were given 10 marks for Ph.D. thesis and also why some of them were given 10 marks for Ph.D. degree acquired after 15.9.2004. He also stated that he would not be able to tell and he did not remember also whether the date “15.9.2004” written on the back side of the last page of the chart Ex.38 (O), was for Ph.D. thesis submission only or for Ph.D. thesis submission and all sorts of research papers and other articles published in news paper and magazines also. He further stated that although in the chart (Ex.45(O)) some research papers and other articles published in news papers and magazines were shown against the names of some candidates, they had not given any marks regarding them in their chart Ex.38(O). The reason, according to him, for not giving any marks to them, must have been that they must

not have shown to them any such research papers and other articles published in the news papers and magazines.

262) Lastly, Dr.L.U. Lokhande, stated in his affidavit dated 5.9.2007 (Ex.194) that they had not prepared fair and final chart from the marks in pencil and red ink in the chart Ex.38(O). He also stated that although he had done the verification work of the documents/certificates of the candidates, he did not put his signature upon any pages of the chart Ex.38(O) because according to him, he did not write anything in his own handwriting in the said chart. He also stated that he would not be able to tell whether they had handed over the said chart to the Chairman of the Selection Committee in its meeting or in the Registrar's office.

263) Dr.S.K. Aherkar, who was then Assistant Professor (Ento) has also filed affidavit dated 5.9.2007 (Ex.195) on the lines of his interrogation and statement in this enquiry. He stated therein that he himself, Dr. L.U. Lokhande, and Dr. N.R. Kosti were assigned the work of giving marks to the candidate for the Ph.D. thesis submitted by him or his research papers and other articles published in the newspapers and magazines as well as significant contribution if any made by him after verifying his original documents/certificates relating thereto. He then stated that they did the aforesaid work in respect of the candidates who appeared for interviews from 20.6.2005 to 25.6.2005 i.e. from the candidate Kankere D.H. at Sr. No.608 in the chart Ex.38(O) till the last candidate in the said chart. He also stated that on each day when the interviews commenced, they had put the date of interview in pencil but he would not be able to tell whether it was in his handwriting or the handwriting of Dr.N.R. Kosti. He further stated that on each page of the Chart Ex.38(O) starting from the page on which the name of the first candidate who was interviewed on 20.6.2005 appeared he and Dr. N.R. Kosti had put their signatures.

264) Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that he had received the written order of the Registrar about assignment of the above work to them which order he had not brought today i.e. the date on which his statement was being recorded in this enquiry but if he were to find the said order, he would submit it in this enquiry. He further stated that for doing the aforesaid verification work, he was supplied with the chart Ex.38(O) only and no other documents were supplied to him.

265) As regards the manner in which the verification work should be done and how many marks should be given to the research papers, other articles published in the news papers and magazines and Ph.D. thesis, Dr. S.K. Aherkar, A.P., stated in his affidavit dated 5.9.2007 (Ex.195) that they were briefed about the same by the Clerk in the Registrar's office. According to him, there was also note about it in writing on the last page of the Chart Ex.38(O) but that note was not in his handwriting and he would not be able to tell in whose handwriting it was. He, however, stated that the verification work done by them and

the marks awarded by them were according to the said note. He then stated that they would award marks as stated above, if after verification of Ph.D. thesis of the candidate or his Ph.D. degree or the research papers and other articles published in the newspapers and magazines, it was found that they were prior to 15.9.2004 which they would determine on the basis of the documents/certificates relating thereto submitted by the candidate before them. According to him, the candidates appearing for interviews on each day would come to them for verification and for award of marks to them for their Ph.D. thesis, research papers, other articles published in the news papers and magazines after their original documents/certificates were verified by the employees of the Registrar's office. Further, according to him, after their verification, they would go for their interviews.

266) About the entries in the chart Ex.38(O) , Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that either he himself or Dr.N.R. Kosti, or Dr.L.U. Lokhande, had written in pencil in the said chart Ex.38(O) the total number of research papers and articles published in the newspapers and magazines which could be given marks after their verification by them. He also stated that whatever remarks were made against the names of some candidates they were made by them in pencil. He then stated that on the left hand side of the said chart Ex.38(O) they had shown in red ink the total marks awarded by them to each candidate. He also stated that if any candidate did not produce for their verification any documents/certificates, they had drawn a horizontal line in red ink against his name. He further stated that he would not be able to tell why there was a tick mark against the names of some candidates and particularly he would not be able to tell whether the candidates against whose names there were tick-marks were alone showing them the documents and were alone present or even those who would not show them any documents were also present.

267) Dr.S.K. Aherkar, A.P., stated in his affidavit dated 5.9.2007 (Ex.195) that the nature of their verification work was as follows. According to him, they would verify whether the research papers submitted to them were truly research papers or not, whether the other articles published in the news papers and magazines were in respect of the subject of agriculture or not, or whether they were technical articles. Further, according to him, if the research paper submitted by the candidate for their verification was published in authorized journal, they would treat it as research paper and accordingly give him marks for the same and if any article of the candidate was published in the newspaper or magazine, they would treat it as other article published in the news paper or magazine and if in such article published in the news paper or magazine there was any information about the technical aspect, they would treat it as technical article. He then stated that such "other article" and/or "technical article" published in the newspaper or magazine carried equal marks which they would give. As regards the question of submission of Ph.D. thesis, he stated that they would determine from the certificate of the Associate Professor / Head of the department

the date on which the thesis was submitted and from the thesis, its subject was known. According to him, from the provisional degree certificate (PDC) they would determine whether the candidate had acquired Ph.D. degree.

268) As regards the hand-writing in the chart Ex.38(O), Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that the remarks made against the names of some of the candidates whose documents/certificates they had verified and which were on the right hand side of some pages in the chart Ex.38(O) were not in his hand-writing. However, according to him, the total number of research papers, and other articles published in the news papers and magazines, marks given to them, and the remarks made against their names on the right hand side in the chart Ex.38(O) were with the concurrence of all three of them. He then stated that after their verification work was over, they handed over the chart Ex.38(O) to the clerks in the Registrar's office, who had given the said chart to them i.e. to Shri S.N. Thakre and Shri P.P. Tembhekar. He also stated that they had not prepared fair or final copy of the chart Ex.38(O). He further stated that every day after their work was over, they would return the chart Ex.38(O) to the employees who were doing the work with them of verifying the original documents/ certificates and on the next day, they would get back the said chart from them at the time of interviews. He then admitted that they had not handed over the said chart Ex.38(O) in the meeting of the Selection Committee but he did not know whether the aforesaid employees from the Registrar's office had given the said chart to the Selection Committee or not.

269) Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that perusal of the chart Ex.45(O) showed that Shri Kankhare Dhiraj H., Sr.No.608, had annexed to his application two extension articles and 8 other articles published in the news-papers and magazines but he was given zero marks by them since he had not shown to them any papers/articles for their verification. As regards the case of Shri Ramdas L. Sr.No.609, he stated that he was given Zero marks under the head "research papers and other articles published in the news-papers and magazines" although in the chart Ex.45(O) seen by him it appeared that he had annexed to his application one research paper. The reason for giving him zero marks, according to him, was he must not have brought to them the original research paper published in the original authorized journal or its attested copy in which it was published or what he showed to them might have been the "research note" which they would not treat as research paper". He then stated that for the above reasons, Shri Kavar Prashant G., Sr. No.634, Nagmote Anant M. Sr.No.854, Pandhare Sanjay P. Sr.No.914, and Zade Nitin N. Sr. No.1327, were also given '0' marks in the chart Ex.38(O).

270) Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007, (Ex.195) that as regards the candidates Shri Khadse Satish D. (Sr. No.647), Kharbikar Lalit L. Sr. No.660, Mate Gajanan D. Sr. No.798, Mendhe Pramod M. (it should be N) Sr. No.807, Yelvikar Nagesh V. Sr.No.1323, the number of research papers and other articles published in the

newspapers and magazines against their names in the chart Ex.38(O) were less in number as compared to the research papers and other articles published in the news- papers and magazines as shown in the chart Ex.45(O). According to him, the reason was that they had given marks only to such research papers and other articles published in the news papers and magazines which could validly be treated as research papers and / or other articles as per their requirements.

271) Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that in chart Ex.38(O), they had given the remark against the name of Shri Kulwal Pawan L., Sr. No. 714, that he acquired Ph.D. degree on 26.2.2005 but they had given him only 8 marks for thesis submission instead of 10 marks for Ph.D. degree because, according to them, he could not get 10 marks as his Ph.D. degree was not before 15.9.2004 and therefore he was given 8 marks for thesis submission. He then stated that they had verified his thesis to find out whether it was submitted before 15.9.2004 or not. He also stated that similar was the case of Shri Nemade Prashant W., Sr. No.891, in the chart Ex.38(O). According to him, there was some mistake in giving the date 29.10.2005 about his PDC in his remark column (perusal of his original application showed that his PDC is dated 29.10.2004). As regards the case of Nemade Seema M. Sr. No.892, in the chart Ex.38(O), he stated that 8 marks were given to her for thesis submission and the remark against her name showed that she had submitted thesis for Ph.D. to MAU Parbhani on 1.6.2006 (it should be 2005) which date was after the last date of application i.e. 15.9.2004. The reason given by him was that although the said thesis for Ph.D. was submitted by her after 15.9.2004, they had given her 8 marks for thesis submission because they were told that even though the thesis was submitted after 15.9.2004, it should be given marks which would also appear from the note written upon the last page of the chart Ex.38(O). He then stated about Kote Ganpat M. Sr. No. 704, in the said chart Ex.38(O) that his PDC was dt. 20.10.2004 as shown in the remarks column. According to him, since he acquired Ph.D. degree after 15.9.2004, he was given 8 marks for thesis submission. He then stated that he must have shown to them his thesis which he must have surely brought at the time of his interview.

272) As regards the candidate More Suhas D., Sr. No. 837, in the chart Ex.38(O), Dr. S.K. Aherkar, in his affidavit dated 5.9.2007 (Ex.195) stated that from the remark against his name , it appeared that he submitted his thesis on 14.2.2005 for which they had given him 8 marks because according to instructions given to them by the Registrar's office even if the thesis was submitted after 15.9.2004 the candidate should be given marks for it which would also appear from the note upon the last page of the chart Ex.38(O). According to him, similar was the case of Suradkar Dnyaneshwar D. Sr. No.1148.

273) Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that as regards the candidate Shri Patil Pravin V., Sr. No.955, in the chart Ex.38(O) there was a remark against his name that he submitted his Ph.D. thesis in March 2005, and still he was given 10 marks

for it in the said chart (Ex.38(O) whereas for thesis submission, 8 marks should have been given. He therefore, admitted that there was mistake committed by them in giving him 10 marks. He also admitted that the said Shri Pravin V. Patil, had shown them 4 research papers, one technical article and one other article published in the news paper or magazine for which according to the rules, he should have been given 8.4 marks but through mistake he was given 10 marks for the same. He however, stated that he did not know whether Patil Pravin V. was the son of Dr. V.D. Patil, the Chairman of the Selection Committee.

274) Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that against the names of Rathod Rajesh R., (S.No.1026), Wankhade Ku. Bhawna R., (Sr.No.1292), Warade Atul D. (Sr.No.1304), and Warade Ku.Sangita V (Sr.No.1305) the remarks were that their PDC was dated 21.2.2005, 7.10.2004, 18.6.2005, and 29.4.2005 respectively i.e. after 15.9.2004 for which in giving them 10 marks they had committed a mistake. As regards Raut Prashant D. Sr. No.1037, he stated that he submitted his Ph.D. thesis on 17.2.2005 for which he was given 10 marks which was a mistake committed by them as he should have been given 8 marks for it.

275) As regards Sable Yogesh R., Sr. No.1059, in the chart Ex.38(O), Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that the remark against his name was that he submitted his Ph.D. thesis on 21.6.2005 for which they had given him 8 marks. He stated that they were justified in giving him 8 marks as per the instructions given to them, although the Ph.D. thesis was submitted by him after 15.9.2004. He further stated that even if his Ph.D thesis was submitted during the period when the interviews were going on, there were no instructions to them that the Ph.D. thesis submitted during the said period should not be accepted as valid (his interview took place on 23.6.2005).

276) With regard to the case of Nemade Ku. Devyani K., Sr. No.889, in the chart Ex.38(O), Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that in the chart about the particulars of the applications Ex.45(O) there were 4 research papers shown against her name but in the chart Ex.38(O) 6 research papers and 5 other articles published in the news papers and magazines were shown against her name and accordingly she was given 10 marks for the same. He then stated that the reason why they had shown more publications i.e. 6 research papers and 5 other articles published in the newspapers and magazines against her name in the chart Ex.38(O) was that when she made an application for these posts, she was not aware of the dates of publication of all her papers / articles and therefore even though, such research papers and other articles were actually published before 15.9.2004 but whose dates of publication were not known to the candidates at the time, they submitted the applications before 15.9.2004, they would show them such research papers and other articles for verification at the time of their interviews and if in verification the dates of publication of such research papers and articles were found prior to 15.9.2004, they would accept them as valid. They had, therefore, according to him,

accepted as valid. research papers and 5 other articles published in the news papers and magazines submitted before them by Ku. Nemade Devyani and gave her 10 marks. Further, according to him, a similar decision was taken by them in respect of Kalpande Vikram V. Sr. No.597, Kulkarni Upendra Sr. No.713, Narwade Shankar G. Sr. No.882, Nimkar Ashish U. Sr. No.900, Warade Atul D. Sr. No.1304, and Wasule Dhiraj L. Sr. No.1313.

277) Dr.S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that a candidate can be said to have made significant contribution if he has participated in the proposal for varietal release of crop or if in the contribution to the research work useful to the farmers, his participation is there. According to him, if there is such contribution, they would give him one mark for each contribution. He then stated that whatever was written upon the last page of the chart Ex.38(O) about giving marks for significant contribution was not correct but the maximum marks which could be given for it were however, five.

278) Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that they had given one mark to Kharale Bhaskar, Sr. No.658, under the head “significant contribution” for writing one chapter in a book. He then stated that he had given 3 marks under the said head to Shri Marawar Manoj W., Sr. No. 792, for his participation in the proposal for varietal release of three crops. He also stated that Morwal Bablu S., Sr. No. 838, was given one mark under the said head for his participation in the varietal release of sugarcane CO-94012. He further stated that they had given two marks to Parmar Jagdish N. Sr. No.922, under the said head for release of two varieties of cotton AKA-8, and AKH-8828.

279) Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that from the chart Ex.38(O), it would appear that for participation in research review committee project one mark was given but according to him, unless he would see their applications, he would not be able to tell whether the said mark under the head “significant contribution” was given to Pal Avinash M. Sr. No.997, or to Paulkar Prashant K., Sr. No.998. He however, admitted their mistake in not counting the said mark in the total of the marks awarded to either of them. He then stated that Ratnaparkhi Rajendra, Sr. No.1032, was given three marks for his participation in varietal release of three crops and Shri Wakode Manish M. Sr. No.1284, was given 2 marks for his participation in varietal release of two cotton crops AKA-8, AKH-8828 under the head “significant contribution”. He also stated that Wandhare Madan R., Sr. No.1289, was awarded 4 marks under the head “significant contribution” for varietal release of 4 cotton crops AKH-8828, AKA-8, PKV-Hy-5, and PKV-DH1.

280) Lastly, Dr. S.K. Aherkar, stated in his affidavit dated 5.9.2007 (Ex.195) that the candidates had shown to them additional documents/certificates about their research papers and other articles published in the newspapers and magazines i.e. those which were not annexed to their applications and were not therefore shown in the chart Ex.45(O). He then stated that after verifying whether they were published prior to or after 15.9.2004 they did

not retain the said additional documents/certificates which they had brought and shown to them.

281) Last affidavit to be considered about the work of verification of certificates / research papers etc. is of Dr. N.R. Kosti, the Assistant Professor (Extension Education) dated 26.9.2007 (Ex.536). He stated in para 2 thereof that as per the office order dated 6.6.2005 (Ex.209) issued by Dr.V.D. Patil, D.I. and Dean Agriculture, Dr.PDKV, Akola, he was directed to do the verification work alongwith other Assistant Professors named in the said order dated 6.6.2005 (Ex.209). However, according to him, as per the said order dated 6.6.2005 (Ex.209) he was not asked to give marks to the candidates whose certificates, research papers etc. he was directed to verify. Further, according to him, it was only in the morning on the day on which the interviews commenced that he was told by some employees of the Registrar's office that, he should give marks to the candidates whose certificates, research papers etc. were verified by him. He also stated that they had further told him how many marks should be given to such certificates / research papers etc. He then stated that he learnt that after the aforesaid office order dated 6.6.2005 (Ex.209) was issued Dr. V.D. Patil, had called in the Registrar's office the meeting of the Assistant Professors who were directed by his order dated 6.6.2005 to do the verification work and that it was in the said meeting that Dr.V.D. Patil, had explained to them in what manner the verification work should be done and how many marks should be awarded to Ph.D. degree certificate/notification, thesis submission, research paper, popular article and significant contribution etc. which meeting he could not attend since he was out of station.

282) Shri N.R. Kosti, stated in para 3 of his affidavit dated 26.9.2007 (Ex.536) that he alongwith his other colleagues, Dr.S.K. Aherkar, and Dr.L.U. Lokhande, had done the aforesaid verification work as a team on the dates of interview from 20.6.2005 to 25.6.2005. He then stated that on 20.6.2005, when he went to work at the place of interview in the morning, he was handed over by the verification clerk sitting there, a chart Ex.38(O) containing columns about the serial number, names of the candidates appearing for interview for the posts of SRA and JRA, Ph.D. thesis submission (8 marks), research paper publication (10 marks) and significant contribution. He then identified the chart Ex.38(O) filed in this enquiry as the same chart which was handed over to them at the time of interviews. He also stated that there was no other paper handed over to them at that time. According to him it was only in the morning, when he went to do the verification work on 20.6.2005, that he was told by the employees in the Registrar's office that he was required to give marks for Ph.D. degree notification, Ph.D. thesis submission, research papers, popular articles, and significant contribution etc. Further, according to him, he also told him the number of marks to be given under each of above heads. He stated that he had seen the back side of page-48 of the chart Ex.38(O) on which it was written in ink as to how the marks should be given under each of the above heads but the said handwriting was not his.

According to him, after seeing it, he found that there was no mention in it about Ph.D. notification and also about research papers. What was mentioned therein was “each publication”.

283) As regards the question of giving marks, he stated in para 4 of his affidavit dated 26.9.2007 (Ex.536) that on the date of interview i.e. 20.6.2005, what he was told in the morning by the aforesaid employees in the Registrar’s office was only about giving marks to Ph.D. notification if it was issued after the last date of application. But about giving marks to Ph.D. thesis, research papers, popular articles etc., he came to know about them only from his colleagues, Dr.S. K. Aherkar, and Dr. L.U. Lokhande.

284) Shri N.R. Kosti, the Assistant Professor, stated in para 5 of his affidavit dated 26.9.2007 (Ex.536) that as regards the question of giving marks under the head “significant contribution” there was confusion amongst them about it. Hence, according to him, one of them (he did not recollect the name) went to the Chairman of the Selection Committee to seek clarification from him and after he came back he told them that the marks for significant contribution should be given in descending order, depending upon the place given to the candidate concerned in the varietal release proposal and / or new techniques. He then stated that, for instance, as regards varietal release proposal if the candidate’s name was on second position then 4 marks should be awarded to him. According to him, the said colleagues further told him that the same procedure should also be followed for publication of book.

285) Shri N.R. Kosti, stated in para 5 of his affidavit dated 26.9.2007 (Ex.536) that what was written on the back side of page no.21 of the chart Ex.38 (O) was in his hand-writing, which was as follows:

Faculty members involved in verification of research papers w.e.f. 20.6.2005 to 25.6.2005

- 1) Dr.S.K.Aherkar, A.P. (Ento)
- 2) Shri L.U. Lokhande, A.P. (Fisheries)
- 3) Shri N.R. Kosti, A.P. (Extn.)

He admitted that the date 20.6.05, and their initials viz. SKA, NRK, LUL in pencil on page-22 on the left hand side of the chart Ex.38(O) were in his handwriting. He stated that they had done the verification work of the candidates from Sr. No. 608, to 1335 i.e. the end of the chart Ex.38(O) including 7 “YCMOU candidates. He also stated that they had given marks to the candidates in respective columns in the chart Ex.38(O).

286) Shri N.R. Kosti, stated in para 7 of his affidavit dated 26.9.2007 (Ex.536) that as regards the manner in which the verification work should be done, they were told to verify only those documents which the candidates had not submitted alongwith their applications,

before the last date of application but submitted them thereafter before them for the first time at the time of their interviews. He admitted that they had not asked the candidates to keep the said documents with them, because according to him, there were no such instructions to them. He then stated that as regards research papers/ popular articles, they had verified all research papers/ popular articles whether submitted by the candidates alongwith their applications or for the first time before them and had given marks to all such research papers, popular articles accordingly. But as regards the Ph.D. certificate / notification, and Ph.D. thesis submission, they had verified them only if the candidates had acquired Ph.D. degree or had submitted his thesis after the last date of application and had produced proof about them before them on the dates of their interviews.

287) As regards the entries made in the chart Ex.38(O), Shri N.R. Kosti, A.P., stated in para 8 of his affidavit dated 26.9.2007 (Ex.536) that the hand-writing in the chart Ex.38(O) from Sr. No. 608 at page 22 onwards was either his or of Dr. S.K. Aherkar. He then stated that the work of giving marks in the columns for Ph.D. thesis submission and research papers publication was done by them in pencil. He also stated that in the column regarding research paper, publication, they had shown the number of research papers and popular articles to which they had awarded marks after their verification. According to him, the total marks shown against the names of the candidates in red ink on the left hand side of the names in the chart Ex.38(O) were not in his hand-writing, and he would not be able to tell whether the said total of the marks was made by Dr.S.K. Aherkar. After seeing pages 22 to 49 of the chart Ex.38(O), he stated that each of the said pages was signed by him and by Dr. S.K. Aherkar, but according to him, they had not made the said signatures in the chart Ex.38(O) on each day on the dates of interviews when they did the said verification work but made them after the interviews were over before Shri D.P.Deshmukh, Section Assistant, when they were called in the Registrar's office. Further, according to him, even the totalling work in red ink in the chart Ex.38(O) was done in the Registrar's office since the said work was not done by them at the time of interviews. He then stated that the lines drawn in red ink against the names of some of the candidates, in the chart Ex.38(O) were not drawn by them at the time of interviews but that work also appeared to have been done in the Registrar's office but he did not definitely recollect about the same.

288) Shri N.R. Kosti, has dealt with in paras 9 to 14 of his affidavit dated 26.9.2007 (Ex.536) about the specific cases of some candidates which were brought to his notice in this enquiry. In para 9, he stated that whatever was written against the name of Kote Ganpat M. Sr. No.704, in the chart Ex.38(O) and the marks given to him were in his handwriting. After seeing the remark against his name viz. "PDC" 20.10.2004, he stated that the said remark would show that he was awarded Ph.D. degree after the last date of application i.e. 15.9.2004. He however, stated that according to the instructions given to him, even for Ph.D. degree acquired after the last date of application, the candidate had to

be given 10 marks but he had wrongly given him 8 marks which were marks for thesis submission. He then stated that the case of Kulwal Pawan L., Sr. No.714, was also a similar case and the handwriting against his name was also his. He stated that he had wrongly awarded 8 marks to him also although according to the instructions given to him, he should have given to him 10 marks for Ph.D. degree acquired after the last date of application. He then stated that similar were the cases of Nemade Prashant W. , Sr. No.891, and Nichal Satish Sr. No.894. According to him, the date of PDC of Shri Nemade Prashant W. Sr. No.891, was wrongly written as 21.10.2005 which could not be so because the marking work was done by them in June 2005. (Perusal of his PDC annexed to his affidavit dated 17.9.2007 (Ex.329) filed in this enquiry, would show that his PDC is dated 29.10.2004 and not 2005).

289) Shri N.R.Kosti, stated in para 10 of his affidavit dated 26.9.2007 (Ex.536) that the words and the numerical figures written against the names of the candidates Rathod Rajesh R. 1026, Wankhede Bhavana R. Sr. No.1292, Warade Atul D. Sr. No.1304, Warade Sangita V. Sr. No.1305, were in his hand-writing and that as shown in the remarks against their names, the dates of their Ph.D. degree certificates were after the last date of application and that he had awarded them 10 marks for Ph.D. degree. He then stated that they had given 8 marks for thesis submission after the last date of application to the following candidates.

Serial No.837, More Suhas D., Serial NO. 1045 Raut Ujwal A., Serial No.1059 Sable Yogesh R., Serial NO.1065 Sanap Prakash B., Serial No.1148 Suradkar Dnyaneshwar D., Serial No.1202 Thakare Umesh G., Serial No. 1231 Tingre Anand S.

290) Shri N.R. Kosti, stated in para 11 of his affidavit dated 26.9.2005 (Ex.536) that at the bottom of page no.35 of the chart (Ex.38(O)) he had written the following lines.

“P.A. – Popular Article

T.B. – Technical Bulletin

R.P. – Research Paper”

After seeing the name of Shri Patil Pravin V. Sr. No.955, at page 35 of the chart Ex.38(O), Shri N.R. Kosti, admitted in the said para 11 that the remark against his name and the marks awarded to him in pencil were in his handwriting, He stated that the remark against his name was “Ph.D. thesis submitted March-2005, IGAU Raipur” and that the marks awarded to him for Ph.D. thesis were 10 marks instead of 8. He admitted that he wrongly gave 10 marks to him for thesis submission instead of 8.

291) Shri N.R. Kosti, further stated in the said para 11 that Shri Patil Pravin V. had submitted before them 4 research papers, 1 technical bulletin and 1 popular article for their verification which he had shown in the column about research paper, publication in the chart Ex.38(O). He then stated that as per the criteria explained to him each research paper

was to be given two marks and for technical bulletin and popular article 0.2 marks each. He admitted that he should have awarded Patil Pravin V. 8.4 marks but instead, he had wrongly awarded him 10 marks. He however, stated that he did not know at that time whether Patil Pravin V. was the son of the Chairman of the Selection Committee, Dr. V.D. Patil. He also admitted that in the case of Raut Prashant D. Serial No.1037, in the chart Ex.38(O) who had submitted his thesis on 17.2.2005, he had wrongly awarded him 10 marks instead of 8 and that the words and the numerical figures against his name were in his handwriting.

292) Shri N.R. Kosti, stated in para 12 of his affidavit dated 26.9.2007 (Ex.536) that the number of research papers and popular articles shown by them in their chart Ex.38(O) was less as compared to their number in the chart of particulars of the applications Ex.45(O) prepared by the office on the basis of the applications of the candidates because the candidates might not have shown to them the original or the attested copies of their research papers / popular articles or they might have filed only the abstract published in the proceedings of the National Seminar which could not be treated as research paper and as regards the popular articles, the candidates must not have shown to them the original / attested copies of the news paper cuttings or magazines in which they were published. He then stated that where the number of research papers and / or popular articles shown by them in the chart Ex.38(O) was more as compared to their number in the chart Ex.45(O), the only reason was that the candidate must have shown to them the research papers and/or, popular articles published after the last date of application i.e. 15.9.2004. After seeing such cases in the chart Ex.38 (O) and by verifying them with the chart relating to particulars of the applications Ex.45(O), he gave the following names of the candidates in whose cases such discrepancies were there :

Kolage Avinash K. Sr. No.690, Konde Nitin M. Sr. No.697, Kote Ganpat M. Sr.No.704, Ladole Manish Y. Sr. No.724, Mane Prashant N. Sr. No.777, Mangare Prashant N. Sr. No.781, Morwal Bablu S. Sr.No.853, Nage Sanjiv P. Sr. No.853, Nemade Ku. Devyanee K. Sr. No.889, Pardey Vijay P. Serial No.920, Rathod Rajesh R.Sr. No.1026, Shambharkar Vishal D. Sr.No.1096, Shambharkar Vishal D. Sr. No. 1112, Shinde Sachin M. Serial No. 1142, Sonune Bhagwan A., Sr.No. 1148, Suradkar Dnyaneshwar D., Serial No. 1304, Warade Atul D., Serial No. 1313, Wasule Dhiraj L. Sr. No. 1315, Wavare Shivaji H., Serial No. 608, Kankare Dhiraj H. Serial No. 609, Kaple Ramdas L. Sr. No.634, Kavar Prashant G., Serial No. 647, Khadse Satish D. Sr. No.652, Khan Mohd. Ahteshalmul Sr. No.660, Kharabikar Lalit L. Serial No. 667, Khatod Jitendra P., Serial No.714, Kulwal Pawan L. Serial No.798, Mate Gajanan D. Serial No.807, Mendhe Pramod N. Serial No. 891, Nemade Prashant W. Serial No.892, Nemade Seema M. Serial No.914, Pandhare Sanjay P. Serial NO.1323, Yelvilkar Nagesh V. Serial No.1327, Zade Nitin N.

293) Shri N.R. Kosti, dealt with cases of significant contribution in para 13 of his affidavit dated 26.9.2007 (Ex.536). He stated therein that writing in regard to Shri Kharat

Bhaskar (Sr. No.658) was his and the marks were also awarded to him by him. He then stated that he had awarded him 1 mark under the head “significant contribution” for writing a chapter in a book but he could not tell why he had awarded him 1 mark. He then stated that in regard to significant contribution of some of the candidates, the decision was taken by his other colleagues and he had written only marks awarded by them. As regards Shri Marawar Manoj W., Sr. No.792, in the chart Ex.38(O), he stated that what was written against his name and the marks awarded to him were in his own handwriting and that for significant contribution, he awarded him three marks for his contribution in release of three varieties as decided by his other colleagues. According to him, he felt that he must have been in the last place in the proposals for three varieties and therefore, he must have been awarded one mark each for his contribution in the said proposals. He then stated that as decided by his other colleagues, he awarded one mark to Marawal Bablu S. for varietal release of sugar cane CO-94012 and two marks to Parmar Jagdish N., Sr. No.922, for release of two varieties under the head “significant contribution”. Referring to ambiguity about one mark awarded for significant contribution for involvement in the RRC Project, he stated that he would not be able to tell whether the said one mark for significant contribution was awarded by him to Paul Avinash M. Sr. No.977, or to Paulkar Prashant K. at Sr. No.978 next below him. He further admitted that he had committed mistake in not adding the said mark for significant contribution in the marks allotted to either of them for research papers/ popular articles. He also admitted that the said mark for significant contribution was not added to the total of the marks awarded to either of them. He then stated that the marks were given by him under the head “significant contribution” to the following candidates as shown : Ratnaparkhi R.D. Sr. No.1032, 3 marks for his participation in three varietal release 3 numbers, Wakode Manish M. Sr. No.1284 , 2 marks for his involvement in release of two varieties of cotton AKA-8 and AKH-8828. Wandhare Madan R., Sr. No.1289, 4 marks for involvement in release of 4 varieties of cotton AKH-8825, AKA-8, PKV-Dhy-5, and PDKV-DH-1. According to him, he had given them the above marks as per their places in the varietal release proposals.

294) Shri N.R. Kosti, stated in para 14 of his affidavit dated 26.9.2007 (Ex.536), that he would not be able to tell why the name of Shri Lokhande, one of their colleagues was written against the name of Shri Ramteke N.H., Sr. No.1012 near the column regarding research papers and popular articles where their numbers and the marks awarded to him for the same were written by him in his handwriting.

295) Shri N.R. Kosti, stated in para 15 of his affidavit dated 26.9.2007 (Ex.536) that although he was not present in the meeting of all the Assistant Professors/ Associate Professor, called by Dr.V.D. Patil, after the office order dated 6.6.2005 (Ex.209) was issued by him, he was told by his colleagues that in the said meeting, they were told that giving marks for Ph.D., thesis submission, research paper/popular article acquired/ submitted/

published after the last date of application i.e. 15.9.2004 was only for the purpose of “upgradation” in the sense that in case, the marks awarded to the candidates were equal their further work/contribution as stated above should be taken into account in considering the question as to who should be selected from amongst them. Otherwise, according to him, the marks to be awarded and to be taken into consideration were the marks for acquisition of Ph.D. degree, submission of thesis, publication of research papers /popular articles before the last date of application i.e. 15.9.2004. He then stated that it was only for that purpose that they examined and awarded marks to Ph.D. degree, thesis submission, research papers and popular articles acquired/ submitted / published as the case may be after the last date of application i.e. 15.9.2004.

295-A) The Associate Professor/Assistant Professors stated in their affidavits that the Research Papers/ Popular Articles produced by some candidates at the time of their interviews were more than those which they produced with their applications and in case of some candidates they were less than those which they produced with their applications, the reason for the latter given by them being that the said candidates might not have produced all the Research Papers/ Popular Articles for verification at the time of their interviews or the same might not have been Research papers as per their requirements for being research papers, i.e. they might not have been published in authorized journal and for popular articles they might not have been published in magazines or news papers. Separate charts in regard to the selected candidates in the posts of SRA (Agri.) and JRA (Agri.) showing the number of R.Ps. / P.As. filed by them with their applications and those produced by them at the time of their interview and accepted as research papers/popular articles by the Assistant Professors/Associate Professor based upon the charts Ex.45(O) and Ex.38(O) are enclosed with this Enquiry Report as **Annexure-13 & 14** .

296) Dr.V.D. Patil, the Chairman of the Selection Committee, himself described in para 37 of his affidavit dated 25.12.2007 (Ex.645) the above procedure followed by the employees of the Registrar’s office in verifying the original documents/ certificates of the candidates appearing for interviews and the procedure followed by the Assistant Professors/ Associate Professor in verifying their certificates/research papers etc. and awarding them marks as directed by him. He then stated in para 38 of his aforesaid affidavit that he did not give any instructions to the Assistant Professors/Associate Professor to retain certificates regarding Ph.D. and research papers / popular articles etc. shown to them by the candidates for the first time on the dates of their interviews for their verification and for giving marks to them as a result of which there was no record of such documents/certificates available in the University since the said documents/certificates were not annexed to the applications of the candidates submitted for the posts of SRA/JRA and they were also not retained by the Assistant Professors/Associate Professor in the absence of any instructions in that regard. According to him, it was necessary to do so for maintaining upto date record of the

proceedings of the selection committee. He admitted that there was thus no record to verify the correctness or otherwise of the number of documents filed by the candidates for the first time before the Assistant Professors/Associate Professor and the marks given by them regarding the Ph.D. degree acquired by them, thesis submitted by them and the research papers/popular articles etc. published by them after the last date of application.

a-5) Chart Ex.38(O) or any chart about academic performance of the candidates not sent in the meeting of the Selection Committee

297) Apart from the above-referred Assistant Professors/Associate Professor, Dr.V.D. Patil, the Chairman of the Selection Committee also admitted in para 39 of his affidavit dated 25.12.2007 (Ex.645) that every day after the work of the Assistant Professors/Associate Professor of giving marks was over, they would hand over the chart Ex.38(O) to the verifying clerks in the office of the Registrar who would give back the same to them in the morning on the next day of interview which procedure was followed by them on all days of the interviews except on the last day on which, the said chart Ex.38(O) was handed over by them to the concerned officer of the Registrar's office. He then categorically admitted that the said chart Ex.38(O) was not sent by the Assistant Professors/ Associate Professor on each day of interview in the meeting of the Selection Committee after their work of giving marks to the candidates was over. Dr.Vandan Mohod, the Registrar / Member Secretary, also stated in para 22 of his affidavit dated 1.12.2007 (Ex.633) that the chart Ex.38(O) was not sent in the meeting of the Selection Committee after the work of Assistant Professors/ Associate Professor was over on each day of interview.

298) Although, initially Dr.E.R. Patil, senior most member of the Selection Committee, stated in para 14 of his affidavit dated 16.11.2007 (Ex.599) that after the Assistant Professors/Associate Professor, completed their work of giving marks to the candidates for their academic performance upto about 3.00 Clock in the afternoon, they sent the chart about the said marks in the meeting of the Selection Committee on that very day, there appeared to be some confusion about it in his mind. He admitted in para 17 of his aforesaid affidavit that he had not seen the chart sent in the meeting of the Selection Committee on each day of interview by the Assistant Professors/Associate Professor, who gave marks for academic performance to each candidate appearing for interview on that day. He also admitted that the said chart for academic performance was not circulated amongst the members of the Selection Committee and neither he nor any other member demanded it. He even admitted that infact, the members of the Selection Committee did not apply their mind to the marks given to the candidates for their academic performance but he still reiterated that he was sure that the said chart was sent by the Asst. Professors on each day of interview to the Registrar in the meeting of the Selection Committee.

299) However, after referring in para 22 of his aforesaid affidavit to the office order of Dr.V.D. Patil, D.I. & Dean (Agri.) dated 6.6.2005 (Ex.209) in which the Assistant Professors/Associate Professor named in the said order were directed to do the work of verification of certificates/research paper etc. during the interviews of these posts of SRA/JRA, the chart Ex.38(O) which showed the verification work and the marks given by the Assistant Professors/Associate Professor to the candidates appearing for interviews, and the affidavit of Dr.A.P. Karunakaran (Ex.274) A.P., in which he stated that after their work was over, they returned the said chart Ex.38(O) to the concerned clerk of the Registrar's office in the evening and did not send it in the meeting of the Selection Committee on each day of interview, which documents he had seen in this enquiry, Dr.E.R. Patil, the Senior most member of the Selection Committee, admitted in para 23 of his affidavit dated 16.11.2007 (Ex.599) that the whole work of giving marks for academic performance was not done by the Assistant Professors/Associate professor but the work of giving marks for degrees and experience certificates was done in the Registrar's office. In the light of the above documents, changing his earlier version he stated in para 24 that he had not seen and he would not be able to tell whether any chart about the marks given to each candidate for his academic performance was ready and was handed over to the Registrar or not. In this regard, he stated in para 25 of his aforesaid affidavit that when he acted as Chairman of the Selection Committee on 22.6.2005, he did not see any chart on that day about the marks given for academic performance of the candidates appearing on that day for interview and he also did not see from where the Registrar dictated to the Computer the said marks for academic performance received by the candidates.

300) Dr.N.D. Pawar, member of the Selection Committee stated in para 6 of his affidavit dated 1.11.2007 (Ex.590) that at the time of interviews on each day, there was no chart supplied to them showing the marks awarded to each candidate for his academic performance. Similarly, Dr. G.N. Dake, another member of the Selection Committee, also stated in para 6 of his affidavit dated 23.11.2007 (Ex.600) that during the interviews on each day, the chart relating to academic performance of the candidates appearing for interview on that date was not sent and was not received in the meeting of the Selection Committee at any time till the meeting was over.

a-6) Consideration by the Selection Committee of the marks awarded for academic performance

301) Shri D.P.Deshmukh, Section Assistant (Estt.), had stated in para 33 of his affidavit dated 15.11.2007 (Ex.598) that 3 or 4 days before the interviews commenced, he had himself entered the marks about the degrees and experience in the Marksheet Ex.34(O)-A on the basis of the chart Ex.45(O) i.e. the certificates about them annexed by the candidates to their applications. However, as regards the marks about Ph.D. degree acquired after the last date of application, submission of thesis after the said date, publication of research

papers/ popular articles and significant contribution, he had stated that they were entered in the Marksheet Ex.34(O)-A after receipt of the chart Ex.38(O), in which the marks were given regarding them by the Assistant Professors/ Associate. According to him, the said chart Ex.38(O) was received by him in the evening on 25.6.2005 and thereafter, he took 3-4 days time to complete the said work. What is material to be noticed is that in para 35 of his aforesaid affidavit, he stated that no meeting of the Selection Committee was held after 25.6.2005 for considering the chart Ex.34(O)-A, the selection of the candidates, and for any other related reason.

302) Dr.V.D. Patil, the Chairman of the Selection Committee, admitted in para 67 of his affidavit dated 25.12.2007 (Ex.645) that the marks for academic performance given to the candidates by the employees of the Registrar's office and the Assistant Professors/Associate Professor were not circulated to the members of the Selection Committee and were not considered by them. He admitted that even he did not verify the marks given by them for academic performance. He further stated that no separate meeting of the Selection Committee was called to consider the said marks. He had already admitted in para 39 of his aforesaid affidavit that the marks given by the Assistant Professors/ Associate Professor in the Chart Ex.38(O) were not sent in the meeting of the Selection Committee held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005. After the discrepancies and mistakes in the Marksheet Ex.34(O)-A and also in the chart Ex.38(O) were pointed out to him, he repeated in para 106 of his aforesaid affidavit that the marks given by the officers of the Registrar's office for degree and experience and by the Assistant Professors/Associate Professor as per the chart Ex.38(O) were not verified by them i.e. the Chairman and the members of the Selection Committee.

303) Dr.V.D. Patil, Chairman of the Selection Committee, admitted in para 85 of his affidavit dated 25.12.2007 (Ex.645) that it was the duty and responsibility of the Selection Committee to conduct the whole Selection process which would start after the applications of the candidates were received till the last date of submission of applications and would end after the selection lists were handed over to the appointing authority i.e. the Vice - Chancellor. He also admitted that in statute 77 (1) (iv), since a duty was cast upon the Selection Committee to prepare the selection lists in descending order of merit of the candidates recommended by it, it was necessary for it to either itself give marks for academic performance of the candidates or if the said work was done by the Registrar's office/Assistant Professors/Associate Professor, it was its duty and responsibility to verify the said work done by them in its properly convened meeting for which each member of the Selection Committee should be supplied with the chart and/or the statement prepared by the office in this regard. According to him, it was only then that after considering the marks for academic performance and the marks for interview the Selection Committee could prepare the selection lists categorywise in descending order of merit on the basis of which the

appointments could be made by the Vice-Chancellor strictly in the order of merit as arranged by the Selection Committee.

304) Dr.Vandan Mohod, the Registrar/Member Secretary, also admitted in para 35 of his affidavit dated 1.12.2007 (Ex.633), that it was the work of the Selection Committee to give marks to the candidates both for their academic performance as well as for their performance in interviews according to the criteria laid down for the same. He then admitted that the Selection Committee did not give any marks for academic performance nor it had verified the marks for academic performance given by the Registrar's office and the Assistant Professors/Associate Professor. According to him, no notice of the meeting of the Selection Committee enclosing therewith the marks for academic performance of each candidate given by them was issued to the members of the Selection Committee and the marks given by them for academic performance were not circulated before any meeting of the Selection Committee for its verification and approval at any time although in the preparation of selection lists, the Selection Committee acted upon the said marks given by the Registrar's office and the above referred Assistant Professors/Associate Professor. When the discrepancies and mistakes in the Mark-sheet Ex.34(O)-A and the Chart Ex.38(O) were pointed out to him he repeated in para 61 of his aforesaid affidavit that the marks given by the officer of the Registrar's office and by the Assistant Professors were not verified by them.

305) Dr.E.R. Patil, Senior most member of the Selection Committee, also admitted in para 34 of his affidavit dated 16.11.2007 (Ex.599) that since the obligation on the Selection Committee was to evaluate the candidates for the posts of SRA/JRA according to the criteria laid down on 31.5.2005, it was the obligation upon the Selection Committee to give marks to each candidate, according to the said criteria or atleast verify the marks given to the candidates by the Assistant Professors or the clerks of the office of the Registrar and then after giving marks for performance in the interview, it was the duty of the Selection Committee to prepare the list of candidates in descending order of merit separately for the posts of SRA and JRA and thereafter prepare the categorywise selection list in descending order of merit separately for the said posts. When he was pointed out the discrepancies and mistakes in the chart Ex.38(O), he stated in para 44 that, as already stated, the marks given by the officers of the Registrar's office for degree and experience and by the Assistant Professors as per chart Ex.38(O) were not verified by them and that it was possible that because of the said discrepancies / mistakes some candidates obtaining higher marks than some other candidates who were selected might not have been selected by them.

306) Dr. E.R. Patil, Senior most member of the Selection Committee, initially stated in para 15 of his affidavit dated 16.11.2007 (Ex.599) that there was random checking done by the committee of the marks given by the Assistant Professors for academic performance of the candidates on the basis of their applications including documents and certificates filed

therewith. He, however, changed his version thereafter and stated in para 17 that he had not seen the chart in the meeting of the Selection Committee on each day of interview being sent by the Assistant Professors, who gave marks therein for academic performance of each candidate appearing for interview on that date and that the said chart was not circulated amongst the members of the selection committee. He further stated that neither he himself nor any member demanded the said chart which, as stated by him in para 17, was handed over on each day of interview to the Registrar by the Assistant Professors. In fact, he admitted that the members of the Selection Committee did not apply their mind to the marks given to the candidates for their academic performance. He admitted in para 17 of his aforesaid affidavit that there was no random checking done inside the room by the members of the Selection Committee. According to him, the Registrar told them that random checking of the said chart relating to academic performance was done but he did not know in what manner the random checking was done as stated in the meeting by the Registrar and that they did not also ask him in what manner it was done. As already stated after his confusion about awarding of marks for academic performance was cleared as stated by him in paras 22 and 23 of his aforesaid affidavit, he admitted in para 24 that he had not seen and he would not be able to tell whether any chart about the marks given to each candidate for his academic performance was ready and was handed to the Registrar or not.

307) Dr. N. D. Jogdande, member of the Selection Committee, stated in para 13 of his affidavit dated 5.11.2007 (Ex.596) that he did not know anything about the marks to be awarded to each candidate for his academic performance since he was not told anything about it by anybody and particularly the Chairman of the Selection Committee. He further stated that no decision was taken about it by the Selection Committee and he did not know how the marks were given for the same and by whom. In fact, according to him, he did not know anything about the Marksheet Ex.34(O)-A in which the marks given to each candidate for his academic performance, for his performance in the interview, and the total marks received by him were shown.

308) Dr.N.D.Pawar, member of the Selection Committee, stated in para 15 of his affidavit dated 1.11.2007 (Ex.590) that no meeting of the Selection Committee was called for considering the marks given to each candidate for his academic performance, for calculating the average of the marks given to him by the Chairman and the members of the Selection Committee, and for preparation of Selection lists. He then stated in para 25 that it was true that it was the duty and the work of the Selection Committee to consider whether the marks awarded to the candidates for their academic performance were correctly given or not and thereafter add to them the marks received by them for their performance in the interviews. He further stated that it was also the duty and the work of the Selection Committee to prepare the selection list categorywise itself in descending order of merit.

However, according to him, in the present selection of candidates for the posts of SRA/JRA except taking interviews and awarding marks for their performance in their interviews no other work was done by the Selection Committee although the Marksheet Ex.34(O)-A at pages 77/1 to 92 and the categorywise selection lists at pages 66 to 76 in the file Ex.34(O) were signed by them i.e. the Chairman and the members of the Selection Committee.

b) Arrangements for the meeting

309) Dr. V.D. Patil, (D.I.), the Chairman of the Selection Committee, stated in para 34 of his affidavit date 25.12.2007 (Ex.645) that no documents relating to the business to be transacted in the meeting of the Selection Committee convened from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 were annexed to or sent with its notice dated 26.5.2005 (Ex.27). He, however, stated in para 40 that to assist the committee the concerned staff of the Registrar's office was sitting in the room where the aforesaid verifying clerks from the Registrar's office and the Assistant Professors/Associate Professor were sitting for doing their verification work. Shri D.P. Deshmukh, Section Assistant (Estt.) stated in para 29 of his affidavit dated 15.11.2007 (Ex.598) that it was his duty to supply all relevant and concerned papers to the Chairman and the members of the Selection Committee in its meeting held for taking interviews of the candidates on the aforesaid dates. He then stated that the work of the Selection Committee would commence at 8.00 AM and would continue upto 9.00 or 10.00 PM at night. He, however, stated that he did not remain present in the room where the interviews were conducted but before the meeting commenced he would place on the table all the necessary papers.

310) Shri D.P. Deshmukh, Section Assistant (Estt.) further stated in the said para 29 of his affidavit dated 15.11.2007 (Ex.598) that for each day of interview separate chart about the particulars of the candidates appearing for interview on that day prepared on the basis of their application for these posts of SRA/JRA marked collectively as Ex.45 (O) in this enquiry and another chart in which the Chairman and the Members of the Selection Committee could give their marks for interview were supplied to them. He also stated that alongwith the aforesaid two charts, they were also supplied with two plain papers, pencil and pad (Bandi). According to him, no other papers were supplied to them. He has filed in this enquiry the specimen copy of the chart about giving marks for interview marked as Ex.434. However, when it was found that the said Chart (Ex.434) was faulty as it contained the names of some candidates who were not called for interview as per the criteria for shortlisting of candidates laid down by Dr.V.D. Patil, the Chairman of the Selection Committee by his office note dated 29.4.2005 contained in the file Ex.35(O), Shri D.P. Deshmukh, Section Assistant, (Estt.) submitted another specimen chart about the candidates who were called for interview marked as Ex.434-A in this enquiry. He stated in para 13 of his affidavit dated 15.3.08 (Ex.695) that through mistake and oversight, Shri Deshpande, sent by fax in this enquiry a wrong chart (Ex.434) which was of the candidates

qualified as per the advertisement i.e. before application of criteria for shortlisting them. However, according to him, except the names, there was no difference in the format between the two charts. To show its format, a true copy of the said chart Ex.434-A is annexed as **Annexure-15** to this report. In view of his above affidavit dated 15.3.2008 (Ex.695), the reference in all the affidavits filed in this enquiry to Ex.434 should be treated as reference to Ex.434-A.

311) Perusal of the said chart Ex.434A, would show that below the names of the candidates, the post/s. and the category/ies, in which they had applied are also mentioned. Separate columns are provided for the Chairman and each member of the Selection Committee to give marks for the performance of each candidate in his interview. There is also a column about the total marks obtained by each candidate from the Chairman and all the members of the Selection Committee and also about rank of merit. What is important to be noticed is that as Chairman of the Selection Committee, Dr.V.D. Patil, was supplied with an additional chart in the said proforma Ex.434A as stated by him in para 36 of his affidavit dated 25.12.2007 (Ex.645) as also by Shri D.P. Deshmukh, Section Assistant (Estt.) in para 30 of his affidavit dated 15.11.2007 (Ex.598). He was thus supplied with two charts in the proforma Ex.434A. As regards the chart about the particulars of the candidates Ex.45(O), Dr.G.N. Dake, the member of the Selection Committee, in para 5 of his affidavit dated 23.11.2007 (Ex.600), and Dr.N.D. Jogdande, another member of the Selection Committee, in para 6 of his affidavit dated 5.11.2007 (Ex.596), stated that the said chart (Ex.45 (O)), was not supplied to them. Dr. Vandan Mohod, has stated in para 13 of his affidavit dated 1.12.2007 (Ex.633), that when he occupied his chair as Registrar/Member Secretary, in the meeting of the Selection Committee, he found that all the necessary papers / documents were placed on the table by the concerned officers of the Registrar's office.

c) Procedure in the meeting for interview of the Candidates

312) In pursuance to the notices of the meeting of the Selection Committee dated 26.5.2005 (Ex.27) convened from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 to transact the business given in the agenda for the said meeting, the Chairman and the Members of the Selection Committee attended the said meeting on 13.6.2005 as is clear from Page-131 of the Attendance Register (Ex.46(O)) which was signed by them. As regards Dr. Vandan Mohod, he stated in para 11 of his affidavit dated 1.12.2007 (Ex.633) that while he was holding the additional charge of the post of Deputy Registrar (Examination), his substantive post being of Associate Professor (Agril.Botony) all of a sudden on 13.6.2005 i.e. the first date of interviews of the candidates for the posts of SRA/JRA, he received a phone call from the technical secretary of the then Vice Chancellor that he should work from that very day as Registrar and therefore as the member secretary of the Selection Committee constituted for selecting the candidates for appointment in the posts of SRA and JRA. According to him, he received the said phone

call at about 9.00 to 9.30 AM when the Chairman and the members of the Selection Committee had gathered and were sitting in the room in which the interviews of the candidates were to be conducted. Further, according to him, after receiving the said message, he immediately entered the said room at about 10.00 AM. He stated in para 13 of his aforesaid affidavit that he had not seen the notice of the said meeting of the Selection Committee to be held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 issued to the Chairman and the members of the Selection Committee and did not know about the agenda or the business to be transacted by the Selection Committee in the said meeting except that the interviews of the candidates for the posts of SRA/JRA were to be taken on the above dates.

c-1) 10 Point Scale adopted for giving marks for interview

313) Dr. V.D. Patil, the Chairman of the Selection Committee, stated in para 35 of his affidavit dated 25.12.2007 (Ex.645) that although, according to the notice, the meeting of the Selection Committee was to start at 9.00 AM, he had asked all the members of the Selection Committee to come and they had come 1 hour earlier i.e. at 8.00 clock in the morning on 13.6.2005 i.e. the first day of its meeting. He then stated in the said para 35 that he explained to them the whole criteria determined by him for academic evaluation of SRA and JRA and specifically told them that for the performance of the candidate in his interview, the total marks fixed were 60 and for his academic performance, 40. According to him, as regards the actual interviews of the candidates all the members of the Selection Committee had decided to give marks to the candidates out of 10 i.e. on 10.00 point scale, the reason being that it was easier to judge the knowledge and give marks to the candidate for his interview on 10.00 point scale rather than out of 60. He, therefore, stated that the said 10 point scale was adopted in the said meeting for assessment of the candidate for his performance in the interview.

314) Perusal of para 12, of the affidavit of Dr.Vandan Mohod, the Registrar/Member Secretary dated 1.12.2007 (Ex.633) would show that on 13.6.2005, although Dr.V.D. Patil, the Chairman of the Selection Committee, explained to all the members the said criteria i.e. the total marks fixed for academic performance as 40 with its distribution under various heads such as marks for qualifications, research papers/ popular articles, experience and significant contribution, and the total marks fixed for the performance in the interview as 60, he did not explain to them whether the cut off date for giving marks to the candidates for the qualifications, experience acquired by them and / or for the publication of their research paper/ popular article or their significant contribution was the last date for submitting the application as given in the advertisement or also thereafter till the interviews commenced. He then stated in para 15 thereof that during their discussion before the interviews started on 13.6.05, they had taken a decision to award marks out of 10 to each candidate for his interview instead of 60 marks, the reason being that all the members of the

Selection Committee were not conversant with all the subjects in which the candidates had done their P.G. studies although they could understand from the answers given by them whether the said answers were correct or not and also for the reason that it was easier for them to give proper marks to their answers out of 10 rather than out of 60 since the questions asked to each candidate were few.

315) Dr.E.R. Patil, the senior most member of the Selection Committee, admitted in para 11 of his affidavit dated 16.11.2007 (Ex.599) that on 13.6.2005, Dr.V.D. Patil, had briefed all the members of the Selection Committee about the criteria for academic evaluation of the candidates who had applied for the posts of SRA and JRA. Dr.B.N. Dahatonde, the member of the Selection Committee, stated in para 8 of his affidavit dated 10.12.2007 (Ex.636) that at the outset on 13.6.2005, Dr.V.D. Patil, explained to them how the marks should be given and that they should give marks for interview out of 10 to each candidate. Dr.N.D. Jogdande, member of the Selection Committee, stated in para 4 of his affidavit dated 5.11.2007 (Ex.596) that he had not received the notice of the meeting of the Selection Committee dated 26.5.2005 (Ex.27) but had received a letter from the Registrar 5-6 days before the interviews for the posts of SRA and JRA in which it was stated that he should attend the meeting of the Selection Committee to be held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 for interviews of the said posts. He then stated in para 7 of his aforesaid affidavit that accordingly, when he had gone for the meeting of the Selection Committee on 13.6.2005, the Chairman of the Selection Committee told them that each member should give marks for interview out of 10 to each candidate. According to him, as stated by him in para 8, there was neither any discussion in any meeting of the Selection Committee about deciding the criteria for selection of candidates for the posts of SRA/JRA nor had the Chairman of the Selection Committee told them about any criteria on the basis of which the candidates were to be selected for the posts of SRA and JRA except that they had to select candidates on the basis of marks given to them for their performance at the time of interview. Further, according to him, neither the Selection Committee, had decided nor had the Chairman told them as to how the candidates should be selected for the posts of SRA and JRA on the basis of the marks awarded to them by each member of the Selection Committee for their performance in interview which marks given by each member would be different. He then stated that he did not know anything as to how the selection of the candidates selected for the posts of SRA/JRA was made and the selection lists prepared and by whom.

316) Dr.G.N.Dake, outside member of the Selection Committee stated in para 5 of his affidavit dated 23.11.2007 (Ex.600) that at the outset before commencement of the interviews on 13.6.2005 all the members of the Selection Committee were told by its Chairman that for academic performance, the total marks were 40 and for performance in the interview the total marks were 60 but as regards the marks relating to academic

performance they were not told how the marks were distributed for various qualifications, experience, publications etc. However, according to him, as regards the total marks fixed for interview they were told by him that they had to give marks to each candidate out of 10 only. Dr.N.D.Pawar, another outside member of the Selection Committee, stated in para 6 of his affidavit dated 1.11.2007 (Ex.590) that on 13.6.2005 at the outset before the meeting of the Selection Committee started the Chairman of the Selection Committee, Dr.V.D. Patil, orally explained to them i.e. all the members present in the meeting, criteria to be followed in academic evaluation of the candidates appearing for interview. He then stated that no document containing the said criteria for academic evaluation of each candidate for the posts of SRA and JRA was given to them and that there was no meeting of the Selection Committee held for determination of the said criteria as such or for its approval. According to him, he told them in the meeting dated 13.6.2005 that there were 40 marks fixed for academic performance and 60 for performance in the interview of each candidate. According to him, he had also told them that the marks to be given to the candidates for their academic performance included fixed number of marks for their educational qualifications, experience, which they had acquired till the last date of submission of their application form and the research paper/ popular article etc. which they had published till the said date. He further stated that at the time of interview on each day, there was no chart supplied to them showing the marks given to each candidate for his academic performance.

c-2) Re.common interviews, common questions and common marks

317) Dr.V.D. Patil, stated in para 44 of his affidavit dated 25.12.2007 (Ex.645) that common interviews were held for the posts of SRA (Agri.) / JRA (Agri.) and in all their categories like SC, ST etc. in the sense that if the candidate had applied for both the posts and if he had applied in more than one category in the said posts, his interview was common for both the posts and for all the categories in which he had applied. He then stated that common questions were asked and common marks were given to the candidates for their interview. He further stated that a candidate who had done his post graduation was normally asked the questions about the subject in which he had done his post graduation by the Professor in such subject and if the candidate was only a graduate, he was asked the questions regarding the subjects which he had offered for his graduation. He also stated that they i.e. the Chairman and the members of the Selection Committee had agreed amongst themselves that each member should ask two questions to each candidate. According to him, on an average it took about 5 minutes for interview of each candidate and therefore since on each day out of about 120 candidates called for interview, about 110 remained present, it took about 10 hours to complete the work of interview on each day with the lunch break of about 45 minutes to 1 hour. In other words, according to him, the work of interviews was completed on each day at about 8.30 PM to 9.00 PM.

318) Dr.Vandan Mohod, Registrar/ Member Secretary, stated in para 19 of his affidavit dated 1.12.2007 (Ex.633) that although the posts of SRA and JRA were two independent and separate posts, they had held common interviews of the candidates, who had applied for both these posts. He then stated that in the interview of the candidates, they had asked them common questions and not different set of questions for these two different posts. According to him, there was no fixed format of questions to be asked to the candidates in their interviews. He, however, stated that ordinarily, the questions were asked by the member who was professor in the subject in which the candidate had done his post graduation although the other members of the Selection Committee also asked him questions about the said subject. But, normally, according to him, they would ask him questions of general type. As regards the candidates who were only graduate, he stated that they were asked general questions by all the members about the subjects they had offered for their graduation. In his estimate, it took about 5 minutes time to complete the interview of each candidate.

319) Dr.E.R. Patil, senior most member of the Selection Committee , stated in para 9 of his affidavit dated 6.11.2007 (Ex.599) that in the meeting held on 31.5.2005 for determination of criteria for academic evaluation of SRA and JRA, they had also in their discussion decided the procedure to be followed by the Selection Committee in selection to the posts of SRA/JRA. According to him, since there were number of candidates who had applied for both the posts of SRA and JRA, they had in their discussion, decided to take common interviews for both the posts and also to ask common questions and to give common marks to the candidate who had applied for both the posts of SRA and JRA, although the minutes of the proceeding of the said meeting dated 31.5.2005, would not show that any such decision was taken in their discussion in the said meeting and even Dr. V.D. Patil, the Chairman of the said meeting dated 31.5.2005 also did not state in his affidavit dated 25.12.2007 (Ex.645) that any such decision was taken in the said meeting dated 31.5.2005. Dr.E.R. Patil, then stated in the said para 9 that according to their discussion, each member could ask separate questions and give separate marks to the candidates appearing for the interview. He further stated in para 26 of his aforesaid affidavit that the members of the Selection Committee did not amongst themselves decide the format of asking questions to the candidates in their interview. However, according to him if the candidate was post graduate then the member who was Professor in his subject would ask him questions as an expert in his subject and the other members would ask him questions of general nature and if he was merely a graduate, then all the members would ask him the general questions about the subjects he offered for his graduation.

320) Dr.B.N. Dahatonde, the member of the Selection Committee, stated in para 8 of his affidavit dated 10.12.2007 (Ex.636) that at the outset on 13.6.2005 i.e. the first date of interview, Dr.V.D. Patil, the Chairman of the Selection Committee told all the members of

the Selection Committee that there would be common interviews for both the posts of SRA and JRA and they should give common marks to the candidates applying for both these posts. He then stated in para 9 that common questions were asked by the members of the Selection Committee to the candidates who had applied for both these posts and the nature of questions asked to them depended upon their qualifications. According to him, if the candidate was M.Sc. or Ph.D., he was asked questions about the subject in which he was M.Sc. or Ph.D. and ordinarily such questions were asked by the member of the Selection Committee who was expert in such subject i.e. Professor etc. He then stated that he asked the questions to the candidates who had done their M.Sc. or Ph.D. in Agronomy. Likewise Dr.N.D. Jogdande, also the member of the Selection Committee stated in para 7 of his affidavit dated 5.11.2007 (Ex.596) that the Selection Committee had held common interviews for both the posts of SRA and JRA and common marks were given for interview for both these posts.

321) Dr.G.N.Dake, outside member of the Selection Committee, stated in para 6 of his affidavit dated 23.11.2007 (Ex.600) that according to the procedure which was usually followed separate interviews should have been taken for separate posts of SRA and JRA by preparing separate lists of the candidates for the said posts and by issuing separate interview calls to them for each of these posts. However, according to him, in this case, common list of the candidates for both the posts of SRA and JRA was prepared, common interview calls were sent and common interviews held for both these posts. He then stated that in their interviews common questions were asked to the candidates applying for both these posts, which questions related to their academic background and experience they had, if any. He also stated that they gave common marks for their performance in interviews, if they had applied for both these posts. According to him, on an average interview of each candidate was of 5 to 10 minutes duration and they completed the interviews of all candidates on the same day on which their interviews were fixed for which they sat even upto 8.00 clock or more in the evening.

322) Dr.N.D. Pawar, another outside member of the Selection Committee, stated in para 7 of his affidavit dated 1.11.2007 (Ex.590) that on 13.6.2005, the first day of interview, before actually the interviews started, Dr.V.D. Patil, told them that it was already decided to hold common interviews for both the posts of SRA and JRA. Therefore, according to him, the Selection Committee had not considered and decided whether common or separate interviews should be held for the posts of SRA and JRA. He then stated that since the common interviews were held for both the posts of SRA and JRA, they had asked common questions to each candidate applying for both the said posts and had given them common marks for the performance in the interview for both the said posts. As regards the questions to be asked to the candidates in their interview, he stated in para 10 of his aforesaid affidavit that there was no fixed format of questions to be asked to them. However,

according to him, the questions were asked to the post graduate candidate about his subject of post graduation mainly by the member who was professor in that subject and the other members asked him questions of general type. Further, according to him, all the members would ask the candidates particularly those candidates who were only graduates questions relating to subjects which they had offered for their B.Sc. degree. But he then stated that no member was prohibited from asking any question to any candidate. He also stated that the questions of general type were put to the candidates to test their general knowledge.

323) Dr.N.D.Pawar, stated in para 9 of his affidavit dated 1.11.2007 (Ex.590) that they were calling inside the hall for interviews 5 candidates at a time and that they had decided amongst themselves that each member of the Selection Committee should ask five questions to each candidate. He then stated that accordingly, each member, one after another asked, five questions to each candidate appearing for interview and it took about 25 to 30 minutes for completing interview of 5 candidates. He further stated that he had seen the programme of interviews of the candidates for the posts of SRA and JRA at page N/15 of the file Ex.35(O) according to which, on each day of interview, there were about 120-123 candidates appearing for interview out of whom some candidates remained absent at the time of their interviews. He also stated that the work of interviews continued till about 10.00 p.m., with a break of 1 hr. for lunch.

324) As regards the question whether common interview could and should be held for both the posts of SRA (Agri.) and JRA (Agri.), Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University, stated initially in para 36 of his affidavit dated 14.1.2008 (Ex.658) that the common interviews of the candidates applying for both these posts could be held on the basis of common questions put to them to judge their knowledge for both these posts and therefore common marks could be given to them on the basis of the said common interviews for both these posts. Further, according to him, from the common marklist of both these posts, in descending order of merit, first the categorywise selection list of SRA (Agri.) could be prepared and thereafter in the same way categorywise selection list of JRA (Agri.), from the remaining candidates. He then stated that the candidates possessing higher qualification would have ordinarily the knowledge to work in both the posts of SRA and JRA considering the nature of duties and responsibilities of the said posts and therefore, according to him, the above method of preparing first the selection lists for the posts of SRA (Agri.) from amongst those who had received higher number of marks and thereafter preparing the selection list for the post of JRA (Agri.) from the remaining candidates, was proper. What is material to be seen in this regard is that in para 37 of his aforesaid affidavit, he stated that, in his view, in order to avoid any confusion and/or injustice to any candidate, whether applying for one of these two posts or both, although there may be combined interviews of the candidates applying for both these posts of SRA (Agri.) and JRA (Agri.), different sets of questions should be asked to them to judge their

eligibility separately for each of these posts looking to its nature of duties and responsibilities. According to him, they should be evaluated by giving them separate marks for their interview in these posts and accordingly separate selection list should be prepared for each of these posts. Further, according to him, if separate sets of questions are put to them for each of these posts, their knowledge of the subject necessary to perform their duties in each of these posts can be better judged.

325) Shri D.P. Deshmukh, Section Assistant (Estt.), who was entrusted with the work relating to appointment, selection, transfer, promotion, seniority etc. of SRA and JRA and who had filled in the marks for academic performance and interviews in the Marksheet Ex.34(O)-A, stated in para 25 of his affidavit dated 15.11.2007 (Ex.598) that according to the programme of interviews given by Dr. V.D. Patil, the Chairman of the Selection Committee, in his office note dated 10.5.2005 contained in the file Ex.35(O), the Assistant Registrar, Shri Behare, had told him that combined/common interviews would be held for these posts of SRA and JRA and further action should be taken accordingly. He then stated in para 30 of his aforesaid affidavit that for the knowledge of the Chairman and the members of the Selection Committee the chart Ex.434A showed whether the candidate had applied for one post or more. However, according to him, for both these posts, not separate but the same or common marks for interview were given.

c-3) Award of marks for performance in the interview

326) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 45 of his affidavit dated 25.12.2007 (Ex.645) that before the interviews for the posts of SRA (Agri.) and JRA (Agri.) started on the first day of interview i.e. 13.6.2005, the Selection Committee considered the agenda about promotions from AA to JRA and JRA to SRA and their time-bound promotions regarding which the senioritywise statements of the candidates were circulated to the members of the Selection Committee by the Registrar's office. He stated that the Selection Committee considered the C.Rs. of each candidate mentioned in the said statements and made its recommendations by signing the said statements, which work took about one hour's time. According to him, it was thereafter that the interviews of the candidates for the posts of SRA (Agri.) and JRA (Agri.) fixed for 13.6.2005 commenced taking therefore, longer time for their completion on that day.

327) As stated hereinbefore, common interviews of the candidates who had applied for both the posts of SRA (Agri.) and JRA (Agri.) and in more than one category were to be held by putting them common questions and giving them common marks for both these posts and in all the categories in which they had applied. Further, the Chairman and the members of the Selection Committee had decided on 13.6.2005 i.e. the first day of interviews to give marks to the candidates out of 10 for their performance in their interviews although the total marks fixed for interview were 60. Accordingly, the

interviews of the candidates were taken from 13.6.2005 and the Chairman and the members of the Selection Committee awarded marks for interview against the name of each candidate in the chart in the proforma Ex.434-A supplied to each of them on each day of interview.

328) Dr.V.D. Patil, stated in para 41 of his affidavit dated 25.12.2007 (Ex.645) that after the interviews were over on each day, each member of the Selection Committee told him the marks given by him to each candidate for his performance in the interview. He then stated that after converting the marks given by each member on 10 point scale to the marks out of 60 i.e. the total marks fixed for interview as per the criteria laid down on 31.5.2005, and taking the round figure, wherever necessary, he entered the said marks given by each member and he, himself, out of 60, against the name of each candidate in the additional chart in the proforma Ex.434-A supplied to him. He further stated that calculating thereafter the total of the marks given to each candidate by him and each member of the Selection Committee, he entered them in the column “total marks obtained” against the name of each candidate. According to him, he then determined with the help of the Registrar/Member Secretary, the average marks received by each candidate by dividing the total of the marks awarded to him by him and all the members of the Selection Committee by their total number i.e. 7. He also stated that after thus finding out the average of the marks given by him and all the members of the Selection Committee to each candidate appearing for interview on that date, he entered with the help of the Registrar, the said average marks for interview on the same day in the column of “rank of merit” in the additional chart with him.

329) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 42 of his affidavit dated 25.12.2007 (Ex.645) that the charts in the proforma Ex.434-A which were given to him and the members of the Selection Committee for giving marks for performance of each candidate in his interview were destroyed by them on the same day after the said marks therein were entered in the additional chart in the same proforma Ex.434-A which was with him. As regards the said additional chart which was with him and in which he had entered the average marks for interview given by him and the members of the Selection Committee after the interviews were over on each day, he kept with him the said additional chart after inserting it in the envelope. According to him, such additional charts kept in the envelopes on each day of interview remained with him till the last day of interview.

330) It is at this stage, necessary to notice that Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 30 of his affidavit dated 25.12.2007 (Ex.645) that in the meeting of the Assistant Professors/Associate Professor called by him 2 or 3 days after issuing them the order dated 6.6.2005 (Ex.209) directing them to do the work of verification of certificates/research papers etc, he had asked the staff of the Registrar’s office present in the said meeting to prepare the data-sheet and enter in it the marks of the

candidates for their academic performance i.e. marks under various heads thereunder such as degrees, thesis submission, experience, publication of research papers / popular articles, and significant contribution which included the marks given to them by the Assistant Professors/Associate Professor.

331) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 40 of his affidavit dated 25.12.2007 (Ex.645) that there was with the Section Assistant, Shri D.P.Deshmukh, the aforesaid consolidated data-sheet of all the candidates who were called for interview from 13.6.2005 to 17.6.05 and 20.6.2005 to 25.6.2005. He also stated in the said para 40 that from the second day of interview i.e. 14.6.2005 after the marks given by the Assistant Professors/ Associate Professor in the chart Ex.38(O) were received on each day of interview by the concerned officers of the Registrar's office, Shri D.P. Deshmukh, Section Assistant (Estt.) entered into the said consolidated data-sheet marks obtained by each candidate for his academic performance as per the criteria i.e. marks obtained by him for his B.Sc., M.Sc., Ph.D. degree, experience, thesis submission, publication of research papers / popular articles and significant contribution. He then stated in para 42 of his aforesaid affidavit that from the aforesaid additional chart in the proforma Ex.434-A supplied to him on each day of interview and in which he had entered in its column "rank of merit" the average marks for interview received by each candidate appearing for interview on that day, he himself or the Registrar/Member Secretary, as far as possible on the same day, dictated the said average marks received by each candidate for his interview on that day to Shri D.P.Deshmukh, Section Assistant (Estt.), who entered them in the said data-sheet on each day of interview. According to him, sometimes if much time was consumed in taking the interviews, the average marks for interview of the candidates appearing for interview on that date were dictated to him on the next day. In this regard, he stated in para 45 of his aforesaid affidavit that since on the first day of interview i.e. 13.6.2005, he could not dictate to Shri D.P.Deshmukh, Section Assistant (Estt.), the average marks for interview received by each candidate appearing for interview on that day due to delay caused in starting the interviews of the candidates on that day because of the time consumed in consideration of the agenda about promotions, he did the said work on the next day.

332) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 43 of his affidavit dated 25.12.2007, (Ex.645) that the additional charts which were with him i.e. the additional chart in the proforma Ex.434-A given to him on each day of interview and in which he had noted the marks for interview given by him and each member of the Selection Committee, the total of the above marks, and also their average were destroyed by Shri D.P.Deshmukh, Section Assistant (Estt.) after the average marks of each candidate were entered by him in the final Marksheet Ex.34(O)-A. According to him, it was the general practice in the University, that they would only keep the final Marksheet in which the

marks for academic performance and personal interview were entered and would destroy all other documents on which the said marks were based such as the above referred chart etc. He, however, admitted that the original chart Ex.38(O) in which the Assistant Professors/ Associate Professor had given marks for Ph.D. degree, thesis submission, research papers / popular articles and significant contribution was not destroyed and was available.

333) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 44 of his affidavit dated 25.12.2007 (Ex.645) that the work of taking actual interviews continued till about 8.30 to 9.00 PM on each day of interview. Thereafter, on each day, according to him, the process of calculation of the average marks for the interview received by each candidate started and the said marks for interview were then entered in the additional chart in the proforma Ex.434-A, which was given to him on each day of interview. He further stated that he then dictated on each day the said marks for interview received by each candidate to Shri D.P. Deshmukh, Section Assistant, who entered them in his data-sheet. Thus, according to him, he completed his work at about 10.00 to 10.30 PM on each day of interview.

334) Dr.V.D. Patil, the Chairman of the Selection Committee, stated in para 46 of his affidavit dated 25.12.2007 (Ex.645) that on the last day of interview i.e. 25.6.2005 after the interviews of the candidates appearing for interview on that day were over, the work of finding out the average marks for interview given to each candidate and dictating them to Shri D.P. Deshmukh, who accordingly entered them in his data-sheet was completed at about 11.00 PM. According to him, the names of the candidates in the data-sheet in which the marks for academic performance of each candidate and his average marks for interview were entered by him appeared in the same alphabetical order as in the combined alphabetical list of all the candidates applying for both or one of the posts contained in the file Ex.36(O) according to which, the interview calls were sent to the candidates for different dates of interviews. After seeing the consolidated Mark-sheet marked as Ex.112(O) in this enquiry, he stated that the data-sheet in which the average marks for interview were dictated by him or by the Registrar to Shri D.P. Deshmukh, Section Assistant (Estt.) was similar to the said Ex.112(O) but according to him, the marks were written in ink therein and not in pencil. He then stated that the average marks for interview were dictated by him or the Registrar in the same room where the interviews were conducted.

335) Dr.Vandan Mohod, Registrar / Member Secretary, stated in para 16 of his affidavit dated 1.12.2007 (Ex.633), that having decided to give marks to each candidate out of 10 for his performance in the interviews, they (i.e. the Chairman and each member of the Selection Committee) gave him marks out of 10 for his interview and entered them in the column meant for him in the chart provided to them which was in the proforma Ex.434-A. He then stated that after the interviews were over on each day, each member told the

Chairman of the Selection Committee the marks actually given by him after calculating them out of 60 which the Chairman wrote in the additional chart in the proforma Ex.434-A which was provided to him. He also stated that after the marks calculated out of 60 were entered against the name of each candidate interviewed on that date, each member kept with him the said chart in the proforma Ex.434-A, and the chart Ex.45(O) supplied to him. He further stated that after the marks were entered in the additional chart in the proforma Ex.434-A by the Chairman of the Selection Committee, the work of Selection Committee, in its meeting on that day was over and the said charts in the proforma Ex.434-A supplied to the members for giving marks for interview to each candidate were thereafter destroyed by them. According to him, on all days of interviews i.e. from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005, their work of taking interviews of the candidates for the posts of SRA and JRA continued in the above manner.

336) Dr.Vandan Mohod, Registrar/Member Secretary, stated in para 17 of his affidavit dated 1.12.2007 (Ex.633) that after the marks given by each member to each candidate out of 60 were entered in the additional chart with the Chairman, the total of the marks given by the Chairman and all the members of the Selection Committee to each candidate was entered in the said additional chart and then after finding out the average of the marks received by each candidate for interview, the said average marks were also entered in the said additional chart with the Chairman against the name of each candidate. According to him, some members of the Selection Committee assisted the Chairman in calculating the total of the marks for interview given to each candidate and also to find out the average of the said marks received by each candidate. He then stated that the Chairman of the Selection Committee, entered the average marks in the aforesaid additional chart with him which he kept in the envelope and handed it over either on the same day or on the next day in the morning to the officers of the Registrar's office who remained present near the room where the interviews were conducted. The said officers of the Registrar's office to whom the said additional chart was handed over by him were according to him, the Deputy Registrar (Estt.), Assistant Registrar (Estt.), or Assistant Section Officer (Estt.) who was dealing with and maintaining the record of the posts of SRA and JRA.

337) Dr.Vandan Mohod, Registrar/ Member Secretary, admitted in para 18 of his affidavit dated 1.12.2007 (Ex.633) that the Registrar was responsible under section 19 (2) of the University Act for the due custody of the record of the University and even otherwise also till the selection process was complete, it was his duty as the member secretary of the Selection Committee to keep with him all relevant records and proceedings of the Selection Committee, so as to maintain its confidentiality. He then admitted that handing over of the additional chart with the Chairman of the Selection Committee to the officers of the Registrar's office, as stated above, breached the confidential nature of the selection process. However, according to him, he had discussed the said matter with the senior officer of the

Registrar's office who told him that it was the practice in the University to keep the record with the Assistant Section Officer of the establishment branch, for which reason, he had not pointed out to the Chairman of the Selection Committee that he should keep the said additional chart with him or hand it over to him to keep it with him as member secretary of the Selection Committee or even as Registrar of the University.

338) As regards the question of filling the marks for interview and the marks for academic performance in a common chart, Dr.Vandan Mohod, Registrar/ Member Secretary stated in para 24 of his affidavit dated 1.12.2007 (Ex.633) that on the last day of interview i.e. 25.6.2005, the Chairman of the Selection Committee enquired from the officers of the Registrar's office whether they had filled the marks for interview till 24.6.2005 and the marks for academic performance in the common chart about which they told him that such chart was ready upto 24.6.2005. According to him, the Chairman of the Selection Committee, then handed over to them the additional chart dated 25.6.2005 in which the average marks received by each candidate for his interview on that day were entered and asked them to fill the said marks immediately then and there in the common chart which they had prepared. He however, stated that although it was a consolidated chart for the posts of SRA and JRA, he would not be able to tell definitely whether it was in alphabetical order but according to him, it was not the same chart as the chart Ex.112(O) filed in this enquiry.

339) As regards the additional charts which were with the Chairman and which, after entering therein the average marks for interview received by each candidate were handed over by him on each day of interview to the officers of the Registrar's office. Dr.Vandan Mohod, Registrar/Member Secretary, stated in para 25 of his affidavit dated 1.12.2007 (Ex.633) that he would not be able to tell as to what happened to them after the average marks for interview were entered in the consolidated chart (Marksheet Ex.34(O)-A) prepared by the Registrar's office which according to him, also showed the marks obtained by each candidate for his academic performance. He then stated that the Chairman alone could tell about it.

340) Turning to the affidavit of Dr.E.R.Patil dated 16.11.2007 (Ex.599), Senior most member of the Selection Committee, he stated in para 13 thereof that there were about 120-123 candidates appearing for interviews on each day which they completed on the same day by about 8.30 or even 10.00 PM at night starting from about 9.00 AM in the morning with a lunch break of about 1 hour. According to him, it took about 5 to 15 minutes for interview of each candidate. He then stated that after the interviews were over on each day, the Chairman of the Selection Committee noted upon the additional chart with him in the proforma Ex.434-A, the marks given by each member for performance of each candidate in his interview on that day. He also stated that thereafter the Chairman of the Selection Committee and the Registrar / Member Secretary made the total of the marks for interview

awarded by each member and then calculated the average marks received by each candidate in his interview. According to him, the total of the marks for interview received by each candidate from the Chairman and each member of the Selection Committee were written in the column provided for it in the aforesaid additional chart and the average of the said marks was written in the column titled “rank of merit” in the said chart.

341) Dr.E.R. Patil, stated in para 14 of his affidavit dated 16.11.2007 (Ex.599) that the Assistant Professors, who were, according to him, allotted the work of giving marks to the candidates for their academic performance, had prepared a chart on computer for giving marks under various heads of academic performance, perhaps as told to them by the Chairman of the Selection Committee, and had given the marks under the said heads during the interviews of the candidates on each day. He then stated that after completing their aforesaid work of giving marks for academic performance upto about 3.00 clock in the afternoon, the said Assistant Professors sent the said chart about academic performance in the meeting of the Selection Committee on that very day. According to him, in that chart relating to academic performance, there was one column for entering the average marks received by each candidate for his interview and another for entering the total of the marks received by him for his academic performance and the average marks received by him for his performance in the interview.

342) Dr.E.R. Patil, Senior most member of the Selection Committee, stated in para 15 of his affidavit dated 16.11.2007 (Ex.599) that after the interviews were over on each day and the average marks received by each candidate for his interview were calculated as stated above, the said average mark of each candidate for his interview were filled in by the Chairman of the Selection Committee and its member Secretary/Registrar on the same day in the aforesaid chart in which the Assistant Professors had filled in the total marks for academic performance awarded by them to each candidate appearing for interview on that day. He then stated that thereafter on each day of interview, they calculated in the meeting of the Selection Committee itself the total of the marks received for academic performance and for the performance in the interview received by each candidate appearing for interview on that date and entered the said total marks in the chart for academic performance referred to above.

343) As regards the chart about the academic performance which according to him, was prepared by the Assistant Professors, who had given therein marks for academic performance of each candidate and in which the Chairman of the Selection Committee or its member secretary/ Registrar had entered the average marks for interview of each candidate and the total of the marks for academic performance and average marks for interview, Dr.E.R. Patil, changed his version in para 17 to 24, and in particular para 24, of his affidavit dated 16.11.2007 (Ex.599).He stated in para 17 that he had not seen the said chart about the academic performance sent in the meeting of the Selection Committee on

each day of interview by the Assistant Professors and that the said chart was not circulated amongst the members of the Selection Committee. He also stated therein that infact they did not apply their mind to the marks given to the candidates for their academic performance. He further stated therein that neither he himself nor any member demanded the said chart which, according to him, was handed over to the Registrar/ Member Secretary on each day of interview. However, after seeing the documents referred to by him in para 22 and realizing that the whole work relating to academic performance was not done by the Assistant Professors, as stated by him in para 23 of his aforesaid affidavit, he stated in para 24 thereof that he would not be able to tell whether the chart showing the marks for academic performance was ready and was handed over to the Registrar on each day of interview or not and whether the Chairman and the Registrar entered in the additional chart with the Chairman in the proforma Ex.434-A only the marks given by each member to the candidate for his interview on each day and made its total and found its average.

344) As regards the charts in the proforma Ex.434-A supplied to the Chairman and the members of the Selection Committee on each day of interview for filling the marks for interview of the candidates appearing for interview on that date, Dr.E.R. Patil, stated in para 20 of his affidavit dated 16.11.2007 (Ex.599) that, as told to them by the Chairman of the Selection Committee, they destroyed the said charts after the marks for interview given by them were entered in the additional chart in the said proforma Ex.434-A with the Chairman.

345) Dr.B.N.Dahatonde, local member of the Selection Committee, stated in para 11 of his affidavit dated 10.12.2007 (Ex.636) that there were about 120 candidates appearing for interviews on each day on which the interviews were conducted for the posts of SRA and JRA. He then stated that on an average minimum time consumed for interview of each candidate was about 5 to 7 minutes to test his knowledge about his subject. He also stated that after the interviews were over on each day, they would hand over to the Chairman of the Selection Committee, the chart in the proforma Ex.434-A in which they had given marks for interview to the candidates, who had appeared for interview on that date, and also the chart in which the particulars of the candidates appearing for interviews on that date were given marked as Ex.45(O) in this enquiry. According to him, the meeting of the Selection Committee was thereafter over and he returned home and went for the meeting on the next day. Further, according to him, on 25.6.2005 i.e. the last day of interviews, after the interviews of all the candidates were over, he handed over the aforesaid two documents i.e. the chart in which the marks were given by him to each candidate for his interview on that date and the chart relating to particulars of the candidates Ex.45(O) to the Chairman of the Selection Committee, and the meeting of the Selection Committee was then over on that day and he returned home. He also stated that after 25.6.2005, there was no meeting of the

Selection Committee held for selection of the candidates for the posts of SRA/JRA and he did not know how the Marksheet and the Selection lists of the said posts were prepared thereafter and who prepared them.

346) As regards the interviews for the posts of SRA/JRA, Dr.B.N.Dahatonde, Local member of the Selection Committee, stated in para 16 of his affidavit dated 10.12.2007 (Ex.636) that they were generally told to select the candidates for the posts of SRA / JRA but were not told specifically whether they had to select the candidates for the posts of either SRA (Agri.), SRA (Agril.Engg.), SRA (Computer), or SRA (Bio-technology / Bio-Chemistry) and as regards the posts of JRA, whether they had to select the candidates either for the post of JRA (Agri.) or JRA (Computer) or for all the above posts of SRA/JRA as advertised.

347) Dr.N.D. Jogdande, another local member of the Selection Committee stated in para 6 of his affidavit dated 5.11.2007 (Ex.596) that alongwith the letter sent by the Registrar for taking interviews of the candidates for the posts of SRA/JRA, no documents regarding interviews were sent to him. However, according to him, on each day of interview, they were supplied only the chart for giving marks to each candidate for his performance in the interview, which chart was similar to the chart marked as Ex.434-A in this enquiry. After seeing the chart about the particulars marked as Ex.45(O) in this enquiry, he stated that such chart was not supplied to them. He then stated that no other documents were supplied to them at the time of interviews of the candidates for the posts of SRA/JRA. He further stated in para 7 of his aforesaid affidavit that the Selection Committee had held common interviews and given common marks for the interviews of the candidates applying for both these posts of SRA/JRA. He also stated therein that the Chairman of the Selection Committee had told them to give marks out of 10 to each candidate for his interview. According to him, on each day after the interviews of the candidates were over, they handed over to the Registrar the chart in which they had awarded the marks to each candidate for his interview on that date. He then stated that he did not know what the Registrar did after collecting the said charts from them. He also stated that on the last day of interview i.e. 25.6.2005, after the interviews of the candidates were over, they handed over to the Registrar the said chart, in which they had given marks to each candidate for his interview on that date and thereafter the meeting on that day was over and nothing else was done in their presence in the said meeting on that date i.e. 25.6.2005. According to para 12 of his aforesaid affidavit, besides the interviews, the other work which was done on the last day of interviews i.e. 25.6.2005 was transacting the agenda about promotion by giving their approval to the statements prepared by the Registrar's office about the eligibility of the candidates to be considered for promotion.

348) Dr.N.D. Pawar, outside member of the Selection Committee, stated in para 14 of his affidavit dated 1.11.2007 (Ex.590) that on each day of interview in the column meant for

him in the chart whose proforma was filed and marked as Ex.434-A in this enquiry, he filled the marks for performance in the interview against the name of each candidate appearing for interview on that day. According to him, after the interviews were over on each day of interview, the Chairman and each member of the Selection Committee kept in an envelope the chart given to him to fill in the marks for interview and also the chart Ex.45(O) about the particulars of the candidates appearing for interview on each day and sealed it. Further, according to him, all such envelopes of the Chairman and the members of the Selection Committee were then kept each day in an almirah in the room where the interviews were conducted. He then stated that on the last day of interviews i.e. 25.6.2005, after the interviews fixed on that day were over, the marks for interview given by the Chairman and each member of the Selection Committee to each candidate in separate-sheets on each day of interviews were consolidated and written down in one sheet i.e. in the additional chart in the proforma Ex.434-A. He also stated that the total of the marks given to each candidate by the Chairman and each member of the Selection Committee was then made and written in the column provided for it in the aforesaid consolidated chart on the last day of interviews i.e. 25.6.2005. According to him, the Chairman of the Selection Committee, Dr.V.D. Patil, kept with himself the said consolidated sheet in which the marks given to each candidate by him and each member of the Selection Committee were written and their total was made. However, according to him, he did not recollect who filled in the marks given by the Chairman and each member of the Selection Committee and the total marks obtained by each candidate in the consolidated sheet in the proforma Ex.434A i.e. whether it was the Chairman of the Selection Committee or its member or the Registrar or any clerk from the office of the Registrar.

349) Dr.N.D.Pawar, outside member of the Selection Committee, stated in para 15 of his affidavit dated 1.11.2007 (Ex.590) that there was no meeting of the Selection Committee called for considering the marks given to each candidate for his academic performance, for calculating the average of the marks given to him by the Chairman and each member of the Selection Committee, and for preparation of the selection list. As regards the other agenda of the said meeting of the Selection Committee, he stated in para 16 of his aforesaid affidavit that they had considered the agenda about the promotion but he did not recollect whether it was considered in the same meeting held from 13.6.2005 to 17.6.2005 and 20.6.2005 to 25.6.2005 or thereafter although he admitted that he did not receive any notice of the meeting of the Selection Committee if the said agenda about the promotion was considered later on by it.

350) As regards the interviews for the posts of SRA/JRA, Dr.N.D.Pawar, stated in para 22 of his affidavit dated 1.11.2007 (Ex.590) that the Selection Committee had taken the interviews of the candidates for all the posts of SRA/JRA i.e. SRA (Computer), SRA (Agri.Engg.), SRA (Bio-Tech./Bio-Chemistry), SRA (Agri.), JRA (Computer), and JRA

(Agri.) as mentioned in the advertisement dated 14.8.2004 (Ex.2) regarding the said posts. He then stated that they had given them common marks for all the said posts included in the said advertisement. According to him, the members of the Selection Committee, were not told that the posts to be filled were of JRA (Agri.) and SRA (Agri.) only.

351) Dr.N.D. Pawar, outside member of the Selection Committee, stated in para 26 of his affidavit dated 1.11.2007 (Ex.590) that on the last date of interview i.e. 25.6.2005 after the marks given by the Chairman and each member of the Selection Committee to each candidate in the separate sheets i.e. charts supplied to them in the proforma Ex.434-A on each date of interview were consolidated and written down in the separate-sheet i.e. the additional chart in the same proforma Ex.434-A which was with the Chairman of the Selection Committee, such separate sheets (charts) supplied to the Chairman and each member of the Selection Committee in the proforma Ex. 434-A for giving marks to each candidate on each date of interview were destroyed and the additional chart in which the said marks given by them were consolidated and written down remained with the Chairman of the Selection Committee. He then stated that he did not know what happened to the said consolidated chart which was with the Chairman of the Selection Committee.

352) As regards the question of awarding marks for interview, Dr.G.N.Dake, stated in para 6 of his affidavit dated 23.11.2007 (Ex.600) that after awarding the marks for interview to each candidate out of 10 as told to them by the Chairman of the Selection Committee and after the interviews of all the candidates were over on each day of interviews, they would put in the envelope the chart in which they had given marks for performance of each candidate for his interview and hand it over to the member secretary of the Selection Committee i.e. the Registrar. However, according to him, he did not know what further action was taken in that regard by him.

353) Dr.G.N.Dake, stated in para 7 of his affidavit dated 23.11.2007 (Ex.600) that on 25.6.2005 i.e. the last date of interview, after they i.e. the members of the Selection Committee had handed over to the member secretary, the envelopes containing the charts in which they had given marks to the candidates appearing for interview on that date, they were told by the Chairman of the Selection Committee that for finalizing the selection of the candidates, there would be another meeting of the Selection Committee held for which due notice would be given to them. According to him, the meeting of the Selection Committee on 25.6.2005 was thus over without preparation of the selection lists for the posts of SRA and JRA although they were ready to continue the meeting and therefore the selection lists could have been finalized on 25.6.2005 or atleast on the next day i.e. 26.5.2005 on which day also they were ready to stay and attend the meeting of the Selection Committee. He then stated that it was the normal procedure of the selection of the candidates that as soon as the interviews were over, the selection list of the candidates appearing for interview should be finalized on the same day. He also stated that since the

meeting of the Selection Committee was over without preparation of the selection lists on the last day of interview i.e. 25.6.2005, he went back to Rahuri on the same day at about 10.00 PM at night. He further stated in para 8 of his aforesaid affidavit that no meeting of the Selection Committee was held after 25.6.2005 for finalizing the selection of the candidates and preparation of selection lists for the posts of SRA and JRA.

354) As regards the interviews for the posts of SRA and JRA, Dr.G.N.Dake, outside member of the Selection Committee stated in para 15 of his affidavit dated 23.11.2007 (Ex.600) that they had taken the interviews of all the categories of the posts of SRA and JRA which were advertised i.e. SRA (Agri.), SRA (Agril.Engg.), SRA (Computer), SRA (Bio-Technology/Bio-Chemistry), JRA (Agri.), and JRA (Computer). According to him, they were not told that the posts of SRA (Agri.) and JRA (Agri.) were only to be filled. Further, according to him, they might not have filled the posts of SRA/JRA in categories other than SRA (Agri.) and JRA (Agri.) referred to above because there were no suitable candidates for the said posts in the other categories.

355) As regards the agenda of promotion of the candidates from the posts of AA to JRA and JRA to SRA, and their time-bound promotions, Dr.G.N.Dake, outside member of the Selection Committee stated in para 11 of his affidavit dated 23.11.2007 (Ex.600) that they had considered and made their recommendations about the same sometime in the second spell of the meeting of the Selection Committee i.e. commencing from 20.6.2005.

356) Noticing the affidavit of Shri D.P. Deshmukh, Section Assistant (Estt.) dated 15.11.2007 (Ex.598) on the question of award of marks for interview he stated in para 30 thereof that the chart showing the marks received by the candidates about their educational qualifications, experience etc. i.e. about his academic performance, was not placed before the meeting of the Selection Committee. According to him, it was only in the additional chart with the Chairman of the Selection Committee in the proforma Ex.434-A that after the interviews were over on each day, the Chairman of the Selection Committee would enter the marks given by him and each member of the Selection Committee to each candidate for his performance in the interview on that day. Further, according to him, he would also enter the total of the marks given by him and each member of the Selection Committee to each candidate in the column "total marks obtained" in the said additional chart. He then stated that the average of the marks for interview received by each candidate from the Chairman and the members of the Selection Committee was worked out but he did not know whether the said average of the marks for interview of each candidate was worked out by the Chairman of the Selection Committee on each day of interview or not. He further stated that after the interviews were over on each day or even on the last day of interviews, such additional charts with the Chairman of the Selection Committee, were not handed over in his office.