

G. SELECTING IN THE POSTS OF SRA (Agri.) AND JRA (Agri.) FAVOURED CANDIDATES AS UNDERSTOOD IN THIS ENQUIRY REPORT.

(Vide paras 414 to 517 of the Enquiry Report)

Explanatory Note

1699) It is difficult to get direct evidence showing favouritism to any candidate because he is related to the University employees/officers, whether present or retired, or because he is recommended by some V.I.P by letter or on phone, or for any other reason. The expression “Favoured Candidates” is used in this Enquiry Report in a wider sense. It shall include all the candidates who are benefitted by the illegal and improper actions/decisions of the concerned officers of the University such as the Vice-Chancellor, the Chairman of the Selection Committee, the Registrar / its Member Secretary etc., as such illegal and improper actions/decisions are taken by them principally in order to facilitate the recruitment of the candidates who are related to the University officers/employees, present or retired, or who are recommended by VIP’s by letter or on phone, or are favoured for any other reason. It is because of such illegal, improper actions/decisions taken by them that the other candidates are also benefitted. All such candidates are treated as “favoured candidates” in this Enquiry Report. The cases of such favoured candidates are pointed out at appropriate places in various topics considered in this Enquiry Report. Some principal topics about them and some glaring individual cases of favoured candidates are as follows.

i) Short Listing of candidates for the purpose of making selection of proper candidates in the posts of SRA (Agri.) and JRA (Agri.)

(Vide Paras 1083 to 1138 of the Enquiry Report)

1700) It is clear from para 1085 of the Enquiry Report that there were large number of applications of the candidates for the posts of SRA (Agri.)/ JRA (Agri.) who were qualified for the said posts as per the advertisement dated 14.8.2004 (Ex.2). The revised charts (Exs. 3 and 4) filed by the University in this Enquiry with its affidavit dated 18.7.2007 (Ex.1) would show that there were 1118 such applications for the post of SRA (Agri.) (Ex.3), and 2051 applications for the posts of JRA (Agri.) (Ex.4). The said charts (Exs. 3 and 4) would also show that many candidates had applied for more than one post and in more than one category such as Open, S.C. S.T. etc. as required by the terms and conditions in the said advertisement dated 14.8.2004 (Ex.2). The number of posts of SRA (Agri.) and JRA (Agri.) advertised as per the aforesaid advertisement dated 14.8.2004 (Ex.2) were 24 and 37 respectively and the

number of applications for the said posts was too large even taking into consideration the fact that the said advertisement dated 14.8.2004 (Ex.2) itself recognized that the number of posts might increase or decrease. However, as regards the question of increasing the number of posts advertised, see paras 1391-A and 1391-B of the Enquiry Report about the power to increase the number of vacancies to be filled beyond those which are notified / advertised. It was, therefore, necessary that there should be proper short-listing of candidates for making selection of the most suitable candidates in the said posts as per the selection procedure to be followed in that regard.

1701) Vide his office note dated 29.4.2005 at pages N/10 and 10/N of the file Ex. 35(O) referred to in paras 1093 to 1095 of the Enquiry Report, the criteria for short-listing of candidates which Dr.V.D. Patil, the Chairman of the Selection Committee, laid down was that for the posts of JRA (Agri.) “the candidates possessing B.Sc. degree in First Division and above”, and for the post of SRA (Agri.) “the candidates possessing post graduate degree and above”, should be called for interview. Since Dr. V. D. Patil, the Chairman of the Selection Committee, had decided to hold common interviews for the posts of SRA (Agri.) and JRA (Agri.) the total number of candidates estimated by him to be called for interview for these posts of SRA (Agri.) and JRA (Agri.) after short-listing them was about 900 on the basis of which the ratio of candidates to be called for interview was 14 to 15 candidates per post. However, as per the common list of candidates prepared for both these posts in alphabetical order (Ex.36(O)), on the basis of the above criteria laid down by him for Short-listing of candidates, there were actually 1335 candidates to be called for interview for both these posts, besides 7 candidates of YCMOU eligible for the post of JRA (Agri.) only. In para 1095 of the Enquiry Report, the ratio of the candidates to be called for interview on the basis of the number of candidates for both these posts i.e. 1335 worked out in between 21 to 22 candidates per post. On the basis of 1342 candidates including 7 candidates of YCMOU eligible for the post of JRA (Agri.) to be called for interview, the said ratio worked out to 22 candidates per post. When the file Ex.35(O) relating to interviews containing the aforesaid office note of Dr.V.D. Patil, the Chairman of the Selection Committee, dated 29.04.2005 was received by Shri P.V.Behare, Assistant Registrar (Estt.), he took into consideration the expected increase of 35 posts in these 61 total posts of SRA (Agri.) and JRA (Agri.) which were advertised and worked out the ratio of the candidates to be called for interview as 13 to 14 candidates per post in his office note dated 4.5.2005 contained in the said file Ex. 35(O) which, according to him, as well as the then Vice-Chancellor was proper, vide para 1125 of the Enquiry Report. It may however, be seen that Shri P.V.Behare, Assistant Registrar (Estt.), had taken into consideration the said expected increase of 35 posts from the chart at page C/15 contained in the said file Ex.35(O) relating to interviews prepared by the concerned Section Assistant (Estt.) Shri D.P.Deshmukh, who

admitted in para 61 of his affidavit, dated 15.11.2007 (Ex.598) that the said chart was wrongly prepared by him and therefore the expected increase in these posts calculated by him was wrong.

1701-A) Obviously, the said ratio of 22, and even 13-14 candidates, per post was very much on the higher side and was against the norms laid down by the Govt. in its G.R.dated 2.5.1995 (Ex.588) for short-listing of candidates according to which the candidates were to be called for interview in the ratio of 1:3 i.e. 3 candidates per post where the number of candidates was 6 and above. As regards the posts of JRA (Agri.) which were Group-C posts, the Selection procedure followed in this case was itself in contravention of the G.R. dated 9.6.2004 (Ex.589) according to which the test of written examination of 75 marks and interview of 25 marks was laid down for selection in the said posts. It may be seen that even where the written examination was held, if the number of successful candidates therein was 6 or more then as per the aforesaid G.R. dated 2.5.1995 (Ex.588), the number of candidates to be called for interview was to be restricted in the ratio of 1:3. The above G.Rs dated 2.5.1995 (Ex.588) and 9.6.2004 (Ex.589) were applicable to the University as admitted by it in the affidavit of Shri G.G.Tonde, the Assistant Registrar (Estt.) dated 28.5.2008 (Ex.758) filed by him on its behalf. Although, at the time when Dr.V.D. Patil, the Chairman of the Selection Committee, laid down the criteria for short-listing of candidates on 29.4.2005 as stated above, it was not in his mind that the posts of SRA (Agri.) and JRA (Agri.) to be filled could be increased to more than double i.e. 55 posts of SRA (Agri.) and 76 posts of JRA (Agri.) from 24 and 37 respectively as advertised, even if the ratio of the candidates to be called for interview was calculated on the basis of the same, it was in breach of the aforesaid G.R. dated 2.5.1995 (Ex.588) as shown in para 1125 of the Enquiry Report.

1702) In pointing out the advantages of proper short-listing of candidates in para 1138 of the Enquiry Report, relying upon the judgment of the Supreme Court in the case of B. Ramkichemin –Vs- Union of India (2008) 1 SCC 362, it is observed that by reducing the number of candidates to a reasonable number by adopting some rational or objective criteria, only such candidates would appear for interview who are most qualified amongst the candidates applying for the job from amongst whom the most suitable candidate/s can then be selected. Another advantage of proper short-listing of candidates pointed out therein is that there is less scope for selection of undeserving and less meritorious candidates by manipulation, favouritism and other mal-practices etc. in selection of the candidates. In fact, larger the number of candidates appearing for interview, which is subjective, greater is the scope for it being abused by reason of the above factors playing a major role in selection of candidates for the job. In this regard, it may be seen that in para 1254 of the Enquiry Report relating to the topic about weightage to be given to the criteria of interview read with paras

1323 to 1336 of the Enquiry Report relating to manipulation of marks for interview by making changes even by erasing the interview and consequently total marks of some candidates originally shown against their names in the alphabetical consolidated Mark-Sheet Ex.112(O) i.e. for both the posts of SRA (Agri.) and JRA (Agri.) and also in the categorywise Mark-Sheet Ex.34(O)-A, separate for the posts of SRA (Agri.) and JRA (Agri.), it is shown how the criteria of interview is abused or misused by manipulation of interview marks of some candidates because there is no proper shortlisting of candidates by adopting rational or objective criteria for it resulting in large number of candidates being called for interview.

1703) It may however, be seen in this regard that apart from the aforesaid G.Rs. dated 2.5.1995 (Ex.588) and 9.6.2004 (Ex.589) which were binding upon the University as admitted by it in its affidavit dated 28.5.2008 (Ex.758), at the time of advertisement itself, the Assistant Registrar, Shri P.V.Behare, had suggested in his office note dated 16.7.2004 contained in the file Ex.40(O) relating to advertisement that as in Rahuri University which followed the test of written examination for short-listing of candidates, the said test should also be adopted for short-listing of candidates in these posts of SRA/JRA in which the number of applications could be very large which suggestion was not accepted by the Vice-Chancellor as per his note dated 17.7.2004 contained in the said file Ex.40(O). It is pertinent to see that the Rahuri University followed the aforesaid G.Rs. dated 9.6.2004 (Ex.589) and 2.5.1995 (Ex.588) for short-listing of candidates in these posts vide its affidavits dated 26.10.2007 (Ex.587) and 28.1.2008 (Ex.665). Even the letter of MPSC dated 22.3.2005 included by the Section Assistant (Estt.), Shri D.P.Deshmukh, at page C/13 of the file Ex.35(O) relating to interviews according to which the criteria of 1:3 was applied by it for short-listing of candidates where the number of candidates was 11 or above was also ignored by the Chairman of the Selection Committee and the Vice-Chancellor although the said information was sought from it by the University.

1703-A) Had the G.Rs. dated 2.5.1995 (Ex.588) and 9.6.2004 (Ex.589) which were followed by the Rahuri University, vide paras 1130 to 1137 of the Enquiry Report, been strictly applied for short-listing of candidates, many candidates who would include the candidates who were related to the University Officers/Employees, present or retired, or the candidates recommended by VIPs, or otherwise favoured for any other reason, would have stood excluded from the zone of consideration and therefore keeping their interests in mind, it appears that large number of candidates including them were kept within the zone of consideration by applying for short-listing of candidates, the liberal criteria of minimum qualification of B.Sc. in First Division and above for JRA (Agri.) and M.Sc. (Agri.) and above for SRA (Agri.). All such candidates, whether they were related to the University officers/employees or not, whether they were recommended by VIPS or not, or otherwise favoured for

any other reason or not, are treated as favoured candidates in this Enquiry Report, as they were benefitted by the above liberal criteria of short-listing of candidates.

ii) Criteria for academic evaluation of SRA /JRA laid down on 31.5.2005

(Vide paras 1214 to 1243 of the Enquiry Report)

1704) As per the criteria for academic evaluation of SRA/JRA laid down on 31.5.2005, for Ph.D. complete 10 marks were to be awarded to the candidates and for thesis submission 8 marks. In criticizing the said criteria, it was held in para 1233 of the Enquiry Report that “thesis submission” was not a criteria which was definite or certain because it was defeasible as there was possibility of thesis being rejected, thus adversely affecting the selection process because of which the award of marks for thesis submission was improper and unjust. It was then held in paras 1235 and 1236 of the Enquiry Report that the thought of fixing such criteria could occur in the mind of the person fixing it when he found that there were candidates for the said posts who were close to him or other officers or VIPs who therefore, mattered but who had not acquired Ph.D. degree before the last date of application i.e. 15.9.2004 but had submitted their thesis for the same before the date on which the criteria about the academic evaluation of candidates for their selection in the posts of SRA/JRA was fixed.

1705) It was pointed out in para 1235 of the Enquiry Report that in the instant case the criteria for evaluation of candidates for the posts of SRA/JRA was fixed on 31.5.2005 i.e. about 9 months after the last date of application i.e. 15.9.2004 and there were such candidates in this case who mattered and who had submitted their thesis for Ph.D. in between the said dates. It is for their benefit that it appeared that the criteria of “thesis submission” was laid down in academic evaluation of SRA/JRA and the illegal marking system of awarding marks for Ph.D. degree acquired, thesis submitted, research papers/ popular articles published, and / or significant contribution made after the last date of application was adopted so as to enable them to enhance their merit by getting 10 marks for Ph.D. degree acquired after the last date of application i.e. 15.9.2004 but before the date of their interview, and if not, at any rate, 8 marks for thesis submission by fixing the said marks for it in the criteria for academic evaluation of SRA/JRA (vide para 1227 of the Enquiry Report). The names of such prominent candidates were pointed out in the said para 1235 of the Enquiry Report viz. Pravin V. Patil, son of Dr.V.D. Patil, Chairman of the Selection Committee, Ku. Swati G. Bharad daughter of former Vice-Chancellor of the University, Shri Pawan Kulwal, son of Dr.L.V. Kulwal, Head of the Department of Horticulture, Shri Vikas Goud son of V.R. Deshmukh, Assistant Professor, and Shri Ujwal Raut son of Raut, Senior Clerk in the University. It is clear from para 1277 of the Enquiry Report that as shown in the chart (Annexure-42 of the Enquiry Report), there were

about 31 candidates who were benefited by the aforesaid criteria of thesis submission and the above-referred illegal marking system i.e. they were awarded marks for thesis submitted and/or for Ph.D. degree acquired after the last date of application i.e. 15.9.2004. All these 31 candidates, shown in the chart (Annexure-42 of the Enquiry Report), whether they were related to the University officers/employees or not, or whether they were recommended by VIPs or not or whether they were favoured for any other reason or not, are treated as favoured candidates in this Enquiry Report as they were benefited by the criteria of thesis submission and the illegal marking system as referred to above.

iii) The candidates who were illegally benefited by the marks awarded to them for Ph.D. degree acquired, Ph.D. thesis submitted, research paper / popular articles published, and/or Significant Contribution made after the last date of application i.e. 15.9.2004

(Vide paras 1276 to 1279 of the Enquiry Report)

1706) The above question is considered in paras 1276 to 1279 of the Enquiry Report as sub-topic (v) in the topic relating to Verification of Certificates, and Documents of the candidates who were called for interview of the posts of SRA (Agri.) and JRA (Agri.) and were awarded marks by the Assistant Professors/ Associate Professor for their Ph.D., thesis for Ph.D., research papers/popular articles and significant contribution. As regards the marks awarded to the candidates for Ph.D. degree acquired, Ph.D. thesis submitted, research papers/popular articles published, and significant contribution made after the last date of application, it was already held in the topic about the “Cut off date for awarding marks for academic performance” considered in Paras 1217 to 1228 of the Enquiry Report that the award of the marks under the said heads for certificates/documents submitted after the last date of application was illegal, improper, biased and unjustified, and was violative of Articles 14 and 16 of the Constitution of India as the same was only known to the candidates who were related to or close to the University officers/ employees since no publicity was given to the said marking system which was also contrary to the condition laid down in the advertisement dated 14.8.2004 (Ex.2) viz. that the applications received with incomplete information and documents and received after the last date shall not be considered under any situation and circumstances. The said condition clearly shows that the marks could not have been awarded to the certificates/documents submitted after the last date of applications i.e. 15.9.2004 as stated in para 1236 of the Enquiry Report. As pointed out in para 1227 read with para 1235 of the Enquiry Report, the said marking system was adopted so as to primarily benefit the candidates related to or close to the University officers/ Employees.

1707) Perusal of para 1277 of the Enquiry Report, would show that it refers to the charts of the candidates who were benefited by the above referred illegal marking system of awarding marks to the documents submitted after the last date of application i.e. 15.9.2004. It refers to the chart (Annexure-42 of the Enquiry Report) showing the names of 31 candidates who were awarded marks for thesis submitted, or Ph.D. degree acquired after the last date of application i.e. 15.9.2004. It shows that out of the said 31 candidates, 23 candidates were selected for these posts of SRA (Agri.) and JRA (Agri.) out of whom 15 were selected in the posts of SRA (Agri.), and 8, in the posts of JRA (Agri.). The said para 1277 also refers to the charts relating to the posts of SRA (Agri.) and JRA (Agri.) titled “Chart of Selected candidates showing their marks for RP/PA at the time of application based on Ex.45(O) and at the time of interview based on Ex.38(O)”, annexed as Annexures-13 and 14 respectively of the Enquiry Report. Its perusal shows that the candidates whose names are included therein had illegally received benefit of additional marks for documents relating to RP/PA published after the last date of application i.e. 15.9.2004, one of them in JRA chart (Annexure 14 of the Enquiry Report) receiving as many as 9.2 additional marks as shown in its last column. The said charts (Annexures-13 and 14 of the Enquiry Report) contain the names of 15 candidates selected in the posts of SRA (Agri.) and 24 candidates selected in the posts of JRA (Agri.). Thus as shown in para 1278 read with para 1277 of the Enquiry Report because of above illegal marking system, the total number of candidates who illegally received the benefit of additional marks for RP/PA selected in both the posts of SRA (Agri.) and JRA (Agri.) was 39 besides 23 candidates referred to above selected in the said posts who illegally received the benefit of either 8 marks for submission of Ph.D. thesis, or 10 marks for acquiring Ph.D. degree after the last date of application i.e. 15.9.2004.

1708) As stated in para 1278 of the Enquiry Report out of 55 candidates selected in the posts of SRA (Agri.), 30 candidates received benefit of the illegal marking system referred to above and out of 76 candidates selected in the posts of JRA (Agri.) 32 candidates received such benefit. Thus, out of 131 candidates (55 + 76) who were selected and appointed in these posts of SRA/JRA there were 62 candidates who received the benefit of illegal marking system referred to above. Perusal of the said charts Annexures 42, 13 and 14 of the Enquiry Report would however show there are following six SRA/JRA candidates (3 each) common in the said charts i.e. in the chart about Ph.D. degree and Ph.D. thesis (Annexure-42) and in charts about RP/PA (Annexures 13 and 14).

- | | | |
|----|-------------------------|-----|
| 1) | Gajbhiye Ku. Vandana R. | SRA |
| 2) | Kadam Ku. Priti M. | SRA |
| 3) | Patil Pravin V. | SRA |

- | | | |
|----|--------------------|-----|
| 4) | Bidwe Kishor U. | JRA |
| 5) | Nemade Prashant W. | JRA |
| 6) | Nichal Satish S. | JRA |

Therefore actually 56 candidates whose names are included in the charts (Annexures-42, 13 and 14 of the Enquiry Report) referred to in para 1277 of the Enquiry Report, are therefore, favoured candidates, whether they were related to the University Officers/ Employees or not, or whether they were recommended by the VIPs. or not, or whether they were favoured for any other reason or not.

- iv) **Manipulation of marks for interview by making changes even by erasing marks of some candidates originally shown against their names in the consolidated alphabetical Mark-Sheet Ex.112(O) and also categorywise Mark-Sheet Ex.34(O)-A, separate for the posts of SRA (Agri.) and JRA (Agri.).**

(Vide paras 1323 to 1336 of the Enquiry Report)

1709) It is shown in the said paras 1323 to 1336 how the marks of some candidates were manipulated with a view to select them by giving them higher marks in interview although they had low marks in their academic performance and also how the manipulation was done for not selecting the candidates who had received very high marks in their academic performance by giving them low marks in interview. It was particularly pointed out therein that in the absence of the original sheets in which the marks given for interview to each candidate by the Chairman and each Member of the Selection Committee and their average were shown since they were destroyed and were not therefore available, it was not possible to verify whether the interview marks actually given to them as shown in the alphabetical consolidated Mark-Sheet Ex.112(O) and the category-wise Mark-Sheet Ex.34(O)-A reflect the average of the interview marks given to them by the Chairman and the Members of the Selection Committee. The said topic about manipulation of interview marks is considered in detail in the said para 1323 to 1336 of the Enquiry Report. The candidates whose names appear in the said charts (Annexure-43 of the Enquiry Report) referred to in its para 1324 and who were thus selected by manipulation of interview marks as shown therein were clearly favoured candidates whether they were related to the University officers/ employees or not, whether they were recommended by VIPs or not, or whether they were favoured for any other reason or not.

v) **List of favoured candidates ready**

(Vide paras 1337 to 1340 of the Enquiry Report)

1710) It is not in dispute that the alphabetical consolidated Mark-Sheet common. the Mark-Sheet for both the posts of SRA (Agri.) / JRA (Agri.) Ex.112(O) was prepared by Shri D.P. Deshmukh, Section Assistant (Estt.) to whom the interview marks which were common for the said posts were dictated by Dr.V.D. Patil, the Chairman of the Selection Committee. The entries were made in the said Mark-Sheet Ex.112(O) in pencil by Shri D. P. Deshmukh, Section Assistant (Estt.) in his own handwriting and it was treated as rough Mark-Sheet by Dr.V.D. Patil, the Chairman of the Selection Committee as stated by him in para 48 of his affidavit dated 25.12.2007 (Ex. 645). After careful scrutiny of the said Mark-Sheet Ex.112(O), it was found that all entries therein were not in the handwriting of Shri D.P. Deshmukh, Section Assistant (Estt.). This office, therefore, prepared the List of such entries in the said Mark-Sheet Ex.112(O) which were not in his hand-writing. The said List, annexed as Annexure 49 of the Enquiry Report, consisted of 45 candidates who were selected in the posts of SRA (Agri.). After issuing the notices for enquiry about the same to Shri D.P. Deshmukh, Section Assistant (Estt.) and Dr.V.D. Patil, the Chairman of the Selection Committee, it was revealed that the entries in the Mark-Sheet Ex.112 (O) about the interview and total marks of the candidates whose names were included in the said list of 45 candidates selected in the post of SRA (Agri.) were in the handwriting of Dr.V.D. Patil, the Chairman of the Selection committee as admitted by him in para 3 of his recent affidavit dated 24.6.2009 (Ex-946). Dr.V.D. Patil, in the said para 3 of his aforesaid affidavit and Shri D.P. Deshmukh, Section Assistant (Estt.) in para 5 of his recent affidavit dated 22.6.2009 (Ex.945), admitted that it was the List of selected candidates.

1711) According to the usual procedure followed in selection of the candidates, the Selection Lists of the posts of SRA (Agri.) and JRA (Agri.) would be prepared after preparing the Mark-Sheet of all the candidates in descending order of merit, separate for the posts of SRA (Agri.) and JRA (Agri.). It was surprising that without there being any such Mark-Sheet of the candidates in descending order of merit and even without there being final category-wise Mark-Sheet Ex.34(O)-A, separate for the posts of SRA (Agri.) and JRA (Agri.), the names of 45 candidates out of as many as 1335 candidates for both the posts of SRA (Agri.)/ JRA (Agri.), contained in the alphabetical consolidated Mark-Sheet Ex.112 (O) were marked out by Dr.V.D. Patil, the Chairman of the Selection Committee, for selection in the posts of SRA (Agri.) by making entries about their interview and total marks in his own handwriting in the said consolidated alphabetical Mark-Sheet (Ex.112(O)). It is thus clear that the said 45 candidates were favoured candidates whether they were related to the University officers/

employees or not, or whether they were recommended by VIPs or not, or whether they were favoured for any other reason or not as they were selected by-passing the usual procedure referred to above of selection of candidates in descending order of merit in each post and in each category i.e. S.C., S.T., etc. from the final Mark-sheet.

vi) Changes made in the consolidated alphabetical Mark-Sheet Ex.112(O) and the categorywise Mark-Sheet Ex.34(O)-A separate for the posts of SRA (Agri.) and JRA (Agri.) by overwriting in the Marks awarded to some candidates for their interviews and consequently changing also the total marks awarded to them

(Vide paras 1341 to 1361-A of the Enquiry Report)

1712) As stated in para 1341 of the Enquiry Report, there were two Mark-Sheets prepared by Shri D.P. Deshmukh, Section Assistant (Estt.); one was alphabetical consolidated Mark-Sheet i.e. for both the posts of SRA (Agri.) and JRA (Agri.) together marked as Ex.112(O) in this Enquiry treated as rough Mark-Sheet by Dr.V.D. Patil, the Chairman of the Selection Committee as stated by him in para 48 of his affidavit dated 25.12.2007 (Ex.645) and another was final categorywise Mark-Sheet, separate for the posts of SRA (Agri.) and JRA (Agri.) prepared by him marked as Ex.34(O)-A in this Enquiry. Vide para 1342 of the Enquiry Report, in the said consolidated alphabetical Mark-Sheet Ex.112(O), there were changes made in the interview and consequently total marks of some candidates by erasing the marks originally shown therein against their names . A chart of such 32 candidates is annexed to this Enquiry Report as Annexure-23. It is shown therein that the interview marks of some candidates were increased by changing their original interview marks and consequently their total marks also so as to make their selection in the posts of either SRA (Agri.) or JRA (Agri.). Shri D.P. Deshmukh, Section Assistant (Estt.), who admittedly made entries in the said consolidated alphabetical Mark-Sheet Ex.112(O) admitted overwriting made in the entries about the said 32 candidates as shown in the chart (Annexure-23 of the Enquiry Report). However, 8 candidates from the said List could not still find place in the Selection Lists of the said posts as shown in paras 1344 to 1347 of the Enquiry Report but so far as the case of Shri Santosh A. Bhongle, an OBC candidate, was concerned, his name should have been included in the Selection List of JRA (Agri.) OBC category since he received 0.5 marks more than the last three candidates in the said Selection List.

1713) As regards the said chart of 32 candidates (Annexure-23 of the Enquiry Report), this office has prepared a further chart (Annexure-50 of the Enquiry Report) containing the names of the candidates therein who were either relations of the University Officers/Employees or

were recommended by VIPs. This office has from the said chart (Annexure-23 of the Enquiry Report) regarding overwriting in interview and total marks of the candidates in the Mark-Sheet (Ex.112(O)) further prepared another chart (Annexure-51 of the Enquiry Report) of the candidates who illegally received the benefit of the marks for Ph.D. degree or Ph.D. thesis, RP/PA, acquired/submitted/ published after the last date of application i.e. 15.9.2004. The cases of the candidates whose interview and total marks originally given to them were changed as shown in the aforesaid chart of 32 candidates (Annexure-23 of the Enquiry Report) are discussed in detail in paras 1347 to 1350 of the Enquiry Report.

1714) Para 1351 of the Enquiry Report refers to changes made in the interview and total marks of them in the categorywise Mark-Sheet Ex.34(O)-A by applying white ink and by overwriting in interview and total marks received by them. As stated therein, there is a chart of such candidates prepared by this office from the said categorywise Mark-sheet Ex.-34 (O)-A annexed to this Enquiry Report as Annexure-21. The specific cases of overwriting in respect of the candidates in the above chart (Annexure-21 of the Enquiry Report) prepared from the categorywise Mark-Sheet (Ex.34(O)-A) are discussed in detail thereafter in paras 1352 to 1355 of the Enquiry Report.

1715) All the candidates in the said chart of 32 candidates (Annexure-23 of the Enquiry Report) prepared from the consolidated Mark-Sheet Ex.112(O) and all the candidates in the chart (Annexure-21 of the Enquiry Report) prepared from the categorywise Mark-Sheet Ex.34(O)-A are favoured candidates, whether they were related to the University Officers/Employees or not, or whether they were recommended by the VIPs or not, or whether they were favoured for any other reason or not. except that 8 candidates referred to in paras 1344 to 1347 of the Enquiry Report whose names are included in the chart of 32 candidates (Annexure-23 of the Enquiry Report) were not fortunate enough to find place in the Selection lists.

vii) Canvassing in any form prohibited

(Vide paras 414 to 429 of the Enquiry Report)

1716) Perusal of the last sentence in the advertisement dated 14.8.2004 (Ex.2) would show that canvassing in any form would disqualify the candidate. In this regard, the University has submitted in this Enquiry the list of candidates who were related to the University officers/ employees, present or retired, including Dr.V.D. Patil, the Chairman of the Selection Committee, and Dr.B.N.Dahatonde, its Member (Ex.11A) and the information was also supplied about it by Shri D.P.Deshmukh, Section Assistant (Estt.) in his affidavit dated 31.5.2008 (Ex.759), vide List of such selected candidates prepared by this office on the basis

of the same (Annexure-17 of the Enquiry Report). There is also a list of candidates selected in the posts of SRA (Agri.) and JRA (Agri.) whose names were recommended by the VIPs. including the Ministers, MLAs and MPs (Annexure No. of the Enquiry Report) prepared by this office from the file (Ex.110-A) submitted by the University in this Enquiry which contains the letters of VIPs. including the Minister for Agriculture and other Ministers, MLAs., and MPs. It is interesting to see that the above List of selected candidates recommended by VIPs includes the name of Pravin V. Patil, son of Dr.V.D. Patil, the Chairman of the Selection Committee whose name was recommended by Shri Balasaheb Thorat, the then Minister for Agriculture.

1717) Vide para 426 of the Enquiry Report, as regard the candidates who were relations of the University Officers/Employees, present or Retired, Dr.V.D.Patil, the Chairman of the Selection Committee stated in para 88 of his affidavit dated 25.12.2007 (Ex.645) that some of them had seen him personally canvassing for appointment of their wards. As regards the candidates whose names were recommended by VIPs., he stated in the said para 88 that apart from the letters, there were phone calls from the VIPs. including Dr.B.G. Bathkal, former Vice-Chancellor of the University, recommending their candidates for appointment in these posts of SRA/JRA. He further stated that he had himself received some of such phone calls at the time of interview but he did not pay any heed to the canvassing made by the employees of the University, present or retired or to the recommendations of the VIPs including the Minister for Agriculture and that the Selection Committee made its recommendations for appointment in these posts only on the basis of merit of each candidate.

1718) Vide Para 427 of the Enquiry Report, although Dr.Vandan Mohod, the then Registrar/ Member Secretary of the Selection Committee admitted in para 51 of his affidavit dated 1.12.2007 (Ex.633) that there were candidates for the posts of SRA/JRA who were relations of the University employees, present as well as retired, including the son of Dr.V.D. Patil, the Chairman of the Selection Committee, and the daughter of Dr.B.N. Dahatonde, its Member, he denied that they, either telephoned him or approached him, for Selection. He then admitted in para 52 of his aforesaid affidavit that there were letters received by the University from the Ministers and other VIPs. such as MLAs., MPs. etc., and at the time of interview there were also phone calls received from them. However, according to him, after receiving one or two such phone calls they did not attend to them deliberately. He also stated that the candidates were selected by them on merit and not on the basis that they were relations of the Chairman or Member of the Selection Committee, or of the employees of the University or because they were recommended by the VIPs. To the same effect is the statement of Dr.S.A. Nimbalkar, the then Vice-Chancellor of the University in paras 50 and 51 of his affidavit dated 14.1.2008

(Ex.658), vide paras 428 and 429 of the Enquiry Report, except that according to him, it was not new that the sons and the daughters of the University employees, present or retired, applied for the posts of SRA / JRA particularly when most of them were working on farms in villages where agriculture was the principal occupation.

1719) The clause referred to above in the advertisement dated 14.8.2004 (Ex.2) about canvassing would show that canvassing in any form entailed disqualification of the candidate, which would mean that such candidate could not compete for selection in the post for which he had applied and his application had straightway to be rejected. There was, therefore, no question of his claim for selection being considered on merit, muchless of selecting him even if he was found suitable for selection on merit. In case of candidates who indulged in canvassing for their appointments, it was not, open to Dr.V.D. Patil, the Chairman of the Selection Committee, and Dr.Vandan Mohod, the Registrar/Member Secretary of the Selection Committee, to say that the Selection Committee had made its recommendations solely on the basis of merit of each candidate and not on the basis of any recommendations of the VIPs, or on the basis that they were related to the University employees present or retired because such candidates would incur disqualification under the above term in the advertisement dated 14.2.2004 (Ex.2) and their applications could not therefore be considered on merit and had straight way to be rejected. Similarly, Dr.S.A. Nimbalkar, the then Vice-Chancellor also could not have justified in his aforesaid affidavit the appointments of the candidates who indulged in canvassing as being made on merit of each candidate. The question is not whether the Selection Committee was influenced by canvassing of the candidate for his appointment or not. It is enough to disqualify the candidate if he has indulged in canvassing for his appointment

1720) As admitted by Dr.V.D. Patil, the Chairman of the Selection Committee, if any University employee had approached him personally canvassing for appointment of his ward and if the name of any candidate was recommended by VIPs for appointment in these posts such candidates either by letters or by phone calls should have been held disqualified for these posts as per the aforesaid term in the advertisement. It may be seen that if the Selection Committee or the appointing authority holds such candidates disqualified for the post in question and rejects their applications without considering their merit, it would discourage the relations of such candidates from making any canvassing or the VIPs from making any recommendations for appointment of any candidate.

viii) Glaring instances of favoured candidates

1721) The specific instances of favoured candidates are mentioned in paras 1277 and 1278 of the Enquiry Report relating to the topic about “the candidates who were illegally benefitted by

the marks awarded to them for Ph.D. degree acquired, Ph.D. thesis submitted, research papers / popular articles published, significant contribution made, after the last date of application i.e. 15.9.2004”, read with paras 1235 and 1236 about the criteria of thesis submission for academic evaluation of SRA / JRA, paras 1323 to 1336 of the Enquiry Report relating to the topic about “Manipulation of Marks for interview by making changes even by erasing the marks of some candidates originally shown against their names in the alphabetical consolidated Mark-Sheet Ex.112(O), and also the categorywise Mark-Sheet Ex.34(O)-A”, paras 1337 to 1340 of the Enquiry Report relating to the topic about “the List of Favoured candidates ready”, and, in particular, the List of 45 candidates in the post of SRA (Agri.) (Annexure-49 of the Enquiry Report), and paras 1341 to 1356 of the Enquiry Report relating to “Changes made in the Consolidated alphabetical Mark-Sheet Ex.112(O), and the categorywise Mark-Sheet Ex.34(O)-A, by overwriting in the marks awarded to some candidates for their interviews and consequently changes also made in the total marks awarded to them”.

The following are however, the glaring instances of favoured candidates.

- a) Ku.Swati G. Bharad, daughter of former Vice-Chancellor of the University.
- b) Pravin V. Patil, son of Dr.V.D.Patil, the Chairman of the Selection Committee.
- c) Ku. Bhavna R. Wankhede, selected in the post of SRA (Agri.) open category.
- a) **Ku. Swati G. Bharad daughter of former Vice-Chancellor of the University.**

(Vide paras 430 to 513 of the Enquiry Report)

1722) Ku. Swati G. Bharad, admitted in her affidavit dated 23.11.2007 (Ex.631) that she was daughter of Dr. G. M. Bharad, former Vice-Chancellor of the University, who had retired from its service in 1999. According to her, she was a candidate for the post of SRA (Agri.) in question. As stated by her in para 2 of her affidavit dated 14.9.2007 (Ex.269), she had submitted her thesis for Ph.D. on 1.11.2004 i.e. after the last date of application which was 15.9.2004 as per the advertisement. It is shown in paras 1235 and 1236 of the Enquiry Report that she was one of the favoured candidates as shown therein for whom the criteria of awarding 8 marks for submission of thesis for Ph.D. degree was fixed and since the said favoured candidates including her had filed the thesis for Ph.D. degree after the last date of application i.e. 15.9.2004, the illegal marking system of awarding marks for Ph.D. degree acquired, Ph.D. thesis submitted, research papers/popular articles published, and significant contribution made, after the last date of application i.e. 15.9.2004 was introduced. Her name was also included in the List of favoured candidates in the post of SRA (Agri.) (Annexures-49 of the Enquiry Report). See paras 1337 o 1340 of the Enquiry Report relating to the said topic.

As per her interview call letter she had remained present for interview of the said post at 8.00 a.m. on 13.6.2005 in the University Guest House, Dr.PDKV, Akola. According to her, the work of verification of the original degree certificates and nine research paper publications brought by her was done by the clerks of the Registrar's office between 11.30 a.m. to 12.15 p.m. and her interview was held by the Selection Committee after about 4.00' Clock in the afternoon. Further, according to her, before verification of her documents, she had gone to the Enquiry Counter in the Examination Section of the Deputy Registrar's (academic) office to enquire about the Result of her Ph.D. degree examination where she was handed over the copy of the Result Notification about her Ph.D. degree but she did not know the name of the person at the Enquiry Counter or the person who handed over to her the said copy of the Result Notification of her Ph.D. degree. She then stated that after she received it, she came back to the place of her interview where she showed it to the verifying officers who awarded her 10 marks for her Ph.D. degree as shown by them in the chart Ex.38(O). She annexed the copy of her Result Notification to her aforesaid affidavit dated 29.3.2009 (Ex.865) marked as Ex.864 in this Enquiry.

1723) Perusal of the chart Ex.38(O) would show that there were two teams of Assistant Professors/ Associate Professor who verified Ph.D. degree acquired or thesis submitted after the last date of applications i.e. 15.9.2004, research papers/ popular articles and / or documents relating to their significant contribution, if made, and awarded the marks for the same to the candidates who brought them for their verification and scrutiny. One team consisting of Shri K.B. Kale, Associate Professor, and Assistant Professors Smt. Anita Chore and Dr.A.P. Karunakaran did the said work from 13.6.2005 to 17.6.2005 and the other team consisting of the Assistant Professors Dr.S.K. Aherkar, Dr.N.R. Koshti, and Dr.L.U. Lokhande, from 20.6.2005 to 25.6.2005. It may be seen that while the 2nd team which did the aforesaid verification work from 20.6.2005 to 25.6.2005 referred to the document of P.D.C. in the chart Ex.38(O) for verification of Ph.D. degree of a candidate in awarding him 10 marks therein for the same, the first team doing the said work from 13.6.2005 to 17.6.2005 did not refer to any such document in the said chart (Ex.38(O) and straightway gave 10 marks in the said chart Ex.38(O) to the candidate claiming that he had acquired Ph.D. degree before his interview. Therefore, on what basis, it granted him / her 10 marks for acquiring Ph.D. degree is not verifiable. As the personal interview of Ku. Swati G. Bharad was fixed on 13.6.2005, her documents were scrutinised by the first team of Assistant Professors/Associate Professor. The Result Notification dated 13.6.2005 declaring result of her Ph.D. degree, a copy of which marked as Ex.864 is filed in this enquiry with her affidavit dated 29.3.2009 (Ex.865) on the basis of which she claimed to have acquired Ph.D. degree was not referred to by the first team

of Assistant Professors/Associate Professor in awarding 10 marks to her in the chart Ex.38(O) for acquiring Ph.D. degree.

1724) It may be pertinent to see Result Notification for declaration of her Result (Ex. 904-B). The crucial question which needs consideration is whether the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati.G. Bharad and Shri A.D. Warade (Ex. 904 B) bearing the date 13.6.2005 was issued on 13.6.2005 itself before the scrutiny / verification of her documents by the first team of the Assistant Professors/ Associate Professor and if so, whether its copy (Ex.864) was handed over to her on that date itself, and by whom. The employees/ officers of the Examination Section of the University who were entrusted with the work of preparing and issuing Result Notifications of PG and Ph.D. degree candidates were Shri D.K. Bagde, Section Assistant, Shri P.T. Muley, A.S.O., Shri A.S. Katre, Assistant Registrar and Dr.Vandan Mohod, the Deputy Registrar (academic)/ Registrar, apart from Dr.V.D. Patil, Dean (PGS) on whose recommendation the then Vice-Chancellor approved the Manuscript of the Result Notification of the above Ph.D. candidates Ku. Swati G. Bharad and Shri A.D. Warade.

a-1) Procedure followed in finalization and declaration of Result of Ph.D. candidates Ku. Swati G. Bharad, and Shri A.D. Warade

1725) Vide affidavits of Shri D.K. Bagde, Section Assistant (Exam.Section), dated 13.4.2009 (Ex. 910), Shri P.T. Muley, A.S.O. (Exam.Section), dated 20.4.2009 (Ex. 914) and 13.4.2009 (Ex. 939) Shri A.S.Katre, Assistant Registrar (Exam.Section), dated 7.4.2009 (Ex. 907) and 12.6.2009 (Ex. 944) and Dr. Vandan Mohod, Deputy Registrar (Academic)/Registrar, dated 11.06.2009 (Ex. 943) referred to in paras 438 to 513 of the Enquiry Report, after the marks of the above candidates Ku. Swati G.Bharad, and Shri A.D. Warade, in their respective Registers (Exs. 885 and 886), the reports of External Examiners about their thesis and also the reports about their Viva Voce Examination were verified on 03.06.2005 by the Chairman and the Members of the Result Committee, Shri D.K. Bagde, Section Assistant (Exam.Section), who had kept ready the Manuscript of their Result Notification (Ex.904-A) in the proforma fed in his computer which was in accordance with the provisions of paras - 30 B (vii) and 33 of the Regulation No. AC/8 (Ex.32.) obtained the signatures of the Chairman and two members of the Result Committee upon the Manuscript of the Result Notification (Ex.904-A) simultaneously with their signatures upon pages 103/C and 10 of the respective Registers of marks of the above candidates (Exs. 884 and 885). He then forwarded the said Manuscript of the Result Notification (Ex.904-A) to Shri P.T. Muley, A.S.O. (Exam. Section).

1726) After receipt of the said Manuscript of the Result Notification (Ex.904-A) Shri P.T. Muley, A.S.O. (Exam.Section), kept it in the file relating to Result Notifications of Ph.D.

candidates (Regular) (Ex.904) See page 67/C of the said file (Ex.904). He wrote an office note on 6.6.2005 which is at page N/37 of the said file (Ex. 904) which he forwarded through the Assistant Registrar (Examination), Deputy Registrar (academic), Registrar, and Dean (PGS) to the Vice Chancellor for his approval of the said Manuscript of the Result Notification of the above candidates (Ex.904-A) included at page 67/C of the said file (Ex.904). The Registrar approved his office note on 7.6.2005 by his signature upon the same and the said file (Ex.904) was then forwarded to the Dean (PGS), who by his office note thereunder recommended the above candidates for awarding them Ph.D. degree and returned the said file (Ex.904) to the Registrar's office on the same day i.e. 7.6.2005.

1727) At this stage, it may be stated that there were two other files (Exs. 931 and 932) relating to the Result Notifications of M.Tech. (Agril.Engg.) and M.Sc. (Agri.) candidates which had similar journey as the aforesaid file (Ex.904) relating to Ph.D. candidates. It may be seen that on the same day i.e. 6.6.2005 the office notes were written by Shri P.T.Muley, ASO (Exam. Section) for approval of the Vice-Chancellor to the Manuscript of the Result Notification of M.Tech. (Agril.Engg.) candidate (Ex.916) included at page 29/C of the aforesaid file (Ex.931) and to the Manuscript of the Result Notification of 3 M.Sc. (Agri.) candidates (Ex.918) included at page 89/C of the aforesaid file (Ex.932). After the said office notes dated 6.6.2005 about the Manuscripts of the Result Notifications of the aforesaid candidates (Exs. 916 and 918) contained in the files (Exs.931 and 932) were signed by the Registrar on the next day i.e. 7.6.2005 in token of their approval, the said files (Exs. 931 and 932) were sent to the Dean (PGS) after whose recommendations of the aforesaid candidates therein for awarding them P.G. degrees, they were returned back by the office of the Dean (PGS) to the office of the Registrar, on the same day i.e. 7.6.2005. All the aforesaid three files (Exs. 904, 931 and 932) containing respectively the Manuscripts of the Result Notifications of the aforesaid Ph.D., M.Tech. (Agril.Engg.), and M.Sc. (Agri.) candidates (Exs. 904-A, 916, and 918) were then sent by the Registrar's office on 7.6.2005 itself in the common closed cover to the Vice-Chancellor which was received by his office on that day itself.

1728) After receipt of the aforesaid files (Exs.904, 931 and 932) in the office of the Vice-Chancellor on 7.6.2005, the said files were put-up before the Vice-Chancellor on 8.6.2005 in the evening hours i.e. from 6.30 P.M. to 10.00 P.M. by his P.A. Shri V.S. Deshmukh, for his approval of the aforesaid Manuscripts of the Result Notifications (Exs.904-A, 916 and 918) respectively as he had come to Akola from Nagpur on that day i.e. 8.6.2005 in the evening at about 6.30 P.M. See the affidavit of Shri V.S. Deshmukh, P.A. to the Vice-Chancellor dated 23.4.2009 (Ex.936) and the copy of the tour diary of the Vice-Chancellor (Ex.920) enclosed with it. The Vice-Chancellor approved and signed the Manuscripts of the Result Notifications

(Exs. 904-A, 916 and 918) referred to above included in their respective files (Exs. 904, 931 and 932) in the evening hours on 8.6.2005 before he left Akola for Parbhani at about 10.00 P.M. on the same day i.e. 8.6.2005 as shown in his tour diary (Ex.920).

1729) Shri V.S. Deshmukh, PA to the Vice-Chancellor, stated in para 3 of his affidavit dated 23.4.2009 (Ex.936) that he sent the closed cover no. VC/1358 dated 9.6.2005 containing the aforesaid three files (Exs. 904, 931 and 932) to the office of the Dean (PGS) on the next day i.e. 9.6.2005. It appears from para 1 of the affidavit of the Dean (PGS), Dr.V.D. Patil dated 24.6.2009 (Ex.946) that the said files (Exs. 904, 931 and 932) remained pending for his approval and signature upon the said files for four days as he was on tour to Parbhani from 8.6.2005 to 12.6.2005. He then stated therein that it was not possible for him to tell whether he put his signatures upon the said files (Exs. 904, 931 and 932) on 13.6.2005 or 14.6.2005. It may be seen that from 9.00 AM onwards on each day from 13.6.2005 to 25.6.2005 he was busy with the meeting of the Selection Committee which held interviews for selection of the candidates for the posts of SRA (Agri.) / JRA (Agri.) in question. It then appears from entry no. 455 of the file Movement Register of his office (Ex.924) that the said three files (Exs. 904, 931 and 932) were received from his office by Shri B.N. Kulkarni, Peon of the office of the Deputy Registrar (Academic) on 14.6.2005 as is clear from his signature thereon read with his affidavits dated 23.04.2009 (Ex. 938) and 15.05.2009 (Ex. 940).

1730) It is thus clear that the said files (Exs. 904, 931 and 932) were received back in the office of the Deputy Registrar (academic) on 14.6.2005. After receipt of the said three files in the Examination Section, according to Shri P.T. Muley, A.S.O. (Exam. Section), he asked Shri D.K. Bagde, Section Assistant (Exam. Section) to prepare and give him computer copy of the Result Notification bearing only the designation of the Registrar for declaration of Result although, according to Shri D.K. Bagde, Shri P.T. Muley, A.S.O. (Exam. Section) himself had prepared such computer copy on his (D. K. Bagde's) computer in which the proforma of the Manuscript of the Result Notification was fed. Be that as it may, after the said computer copy of the Result Notification to be signed by the Registrar only was prepared for declaration of Result of the aforesaid candidates in each of the aforesaid three files (Exs.904, 931 and 932) i.e. Exs. 904-B, 917 and 919, Shri P.T. Muley, A.S.O. (Exam. Section), wrote an office note in each of the said three files Ex. 904, 931 and 932) requesting the Deputy Registrar/ Registrar to sign the said Result Notifications for declaration of Result (Exs. 904B, 917 and 919) but he did not put any date below his signatures upon the said office notes. However, when the said files (Exs. 904, 931 and 932) were placed before the Deputy Registrar/ Registrar, when he signed the aforesaid office notes therein, he put the date 14.6.2005 below his signatures upon the said office notes in token of their approval. He also signed the original computerized copies of the

said Result Notifications for declaration of Result (Exs. 904B, 917 and 919) on the same day i.e. 14.06.2005. According to Shri P.T. Muley, A.S.O. (Exam. Section) the copies of the said Result Notifications prepared for declaration of Result (Exs. 904-B, 917 and 919) were forwarded on 15th or 16th June, 2005, to each of the offices/ officers as mentioned on their back side and also the concerned tables in the Examination Section including those of the despatcher and the clerk who prepared the provisional degree certificates (P.D.C's).

a-2) Convention/practice about the date on which the Manuscripts of the Result Notifications of the concerned candidate/s signed by the Vice-Chancellor and the date which the Result Notification for declaration of his/their Result signed by the Registrar should bear.

1731) There is no rule, regulation or any statute in the University which prescribes that the Manuscript of the Result Notification must bear the same date on which the Vice-Chancellor had signed it in token of its approval and that similarly the Result Notification prepared for declaration of Result must also bear the same date which was on its Manuscript i.e. the date on which the Vice-Chancellor signed it. See paras 2 and 9 of the respective affidavits of Shri A.S. Katre, Assistant Registrar (Exam. Section) and Dr. Vandan Mohod, Deputy Registrar (academic) /Registrar dated 12.06.2009 (Ex. 944) and 11.6.2009 (Ex.943). However, as per the practice/convention in the University as stated by them in the aforesaid paras 2 and 9 of their affidavits dated 12.06.2009 (Ex. 944) and 11.06.2009 (Ex. 943) respectively as also stated by the concerned A.S.O. (Exam. Section), Shri P. T. Muley in para 4 of his affidavit dated 20.04.2009 (Ex. 914), the Manuscript of the Result Notification approved and signed by the Vice Chancellor bears the same date on which he had signed it. Further, as stated by Shri P. T. Muley, the concerned A.S.O. (Exam. Section) corroborated by Shri A. S. Katre, Assistant Registrar (Exam. Section) and by Dr. Vandan Mohod, Deputy Registrar (Academic)/Registrar, in paras 3 and 8 of their aforesaid affidavits respectively, the said date upon the Manuscript of the Result Notification is put by the A.S.O. (Exam. Section), Shri P. T. Muley in ink in his own handwriting when the file containing the said Manuscript of Result Notification comes back to him after the Vice Chancellor had signed it. But as regards the Result Notification prepared for declaration of Result, although according to A.S.O. (Exam. Section) Shri P. T. Muley, and the Assistant Registrar (Exam. Section) Shri A. S. Katre, as stated by them in paras 4 and 2 of their affidavits dated 20.04.2009 (Ex. 914) and 12.06.2009(Ex. 944) referred to above, it bears the same date as on its Manuscript i.e. the date on which the Vice-Chancellor had signed it, Dr.Vandan Mohod, Deputy Registrar (Academic)/ Registrar contradicted them and stated in the aforesaid para 9 of his affidavit dated 11.6.2009 (Ex.943) that the said Result

Notification prepared for declaration of Result bears the date on which it is issued by the Registrar.

1732) Although the question which is relevant in this Enquiry is about the date/s which the Manuscript of the Result Notification of Ph.D. candidates Ku. Swati G. Bharad, and Shri Atul D. Warade (Ex.904-A) signed by the Vice-Chancellor and the Result Notification for declaration of their Result signed by the Deputy Registrar (Academic)/ Registrar (Ex.904-B) bear, the dates upon such Result Notifications in regard to M.Tech. (Agril. Engg.) candidate (Exs.916 and 917) and M.Sc. (Agri.) candidates (Exs. 918 and 919) have become relevant and are referred to in this Enquiry since all the three files relating to the concerned candidates therein (Exs. 904, 931 and 932) containing the office notes written by Shri P. T. Muley, A.S.O., (Exam. Section) on the same date i.e. 06.06.2005 for approval of the Vice Chancellor to the Manuscripts of their Result Notifications (Exs. 904-A, 916 and 918) included therein were sent to the Vice-Chancellor under the same closed cover and were returned back to the office of the Deputy Registrar (Academic) on the same date i.e. 14.6.2005 under the same closed cover whereafter the Result Notifications for declaration of their results (Ex. 904B, 917 and 919) were issued by the Deputy Registrar (Academic)/Registrar on the same day i.e. 14.06.2005 although the said date is corrected upon them as 13.06.2005.

a-3) Date upon the Manuscripts of the Result Notifications (Ex. 904-A, 916 and 918) approved and signed by the Vice Chancellor.

1733) As regards the Manuscript of the Result Notification of the Ph.D. candidates in question viz. Ku. Swati G. Bharad, and Shri A.D. Warade, (Ex.904-A) contained in the file (Ex. 904), initially, Shri P.T.Muley, A.S.O. (Exam. Section), stated in para 7 of his affidavit dated 20.4.2009 (Ex.914), that he had put the date 13.6.2005 in his own handwriting upon the said Manuscript of the Result Notification (Ex.904-A) and before writing the said date upon it, he had made enquiries about the date on which the Vice-Chancellor had signed it (Ex.904-A) in token of its approval. He further stated therein that either he, the Assistant Registrar or the Deputy Registrar (Academic) must have taken the aforesaid file (Ex. 904) on 13.06.2009 to the Vice Chancellor for his approval and on the same day his signature must have been obtained upon his office note dated 06.06.2005 and the said Manuscript of the Result Notification (Ex. 904-A) of the above candidates. According to him, he therefore put the date 13.06.2005 in his own handwriting upon the Manuscript of the Result Notification (Ex. 904-A). He however, changed his above version and stated in para 4 of his additional affidavit dated 30.4.2009 (Ex.939) that he put the said date upon the said Manuscript of the Result Notification (Ex.904-A) as told to him by Shri A.S.Katre, the Assistant Registrar (Exam. Section) and that he did not make any enquiry about it. Similar is his version, in regard to the other two Manuscripts of the

Result Notifications (Exs. 916 and 918) about M. Tech. (Agril. Engg.) and M.Sc. Agri. Candidates. (See paras 2 and 3 of his aforesaid affidavit).

1734) Shri A.S. Katre, the Assistant Registrar (Exam. Section), on the contrary, stated in para 3 of his additional affidavit dated 12.6.2009 (Ex.944) that, according to him, generally, the concerned Clerk in their Examination section makes enquiry about the date on which the Vice-Chancellor had signed the Manuscript of the Result Notification because it is he who has to put upon it the said date when the file is returned back to their office with the approval and signature of the Vice-Chancellor upon it. According to him, he did not make any enquiry about the date on which the Vice-Chancellor signed the Manuscripts of the Result Notifications viz. Exs. 904-A, 916 and 918 and it is Shri P.T. Muley, dealing clerk (A.S.O.), who must have made enquiry about the same. It appears that after the relevant facts brought on record in this Enquiry showed that the Vice-Chancellor had actually signed the Manuscripts of the aforesaid Result Notifications Exs. 904-A, 916 and 918 in the evening hours on 08.06.2005, Shri P.T. Muley, (Exam. Section) has, in his aforesaid affidavit dated 13.04.2009 (Ex.939), changed his version and has tried to shift the responsibility upon the Assistant Registrar Shri A.S.Katre, by stating in paras 2, 3, and 4 of his aforesaid additional affidavit that he put the dates upon the Manuscripts of the Result Notifications Exs. 904-A, 916 and 918 in the three files i.e. 904, 931 and 932 referred to above as per the instructions of Shri A.S.Katre, the Assistant Registrar (Exam. Section) and that he did not make any enquiry about the same.

1735) As regards the Manuscript of the Result Notification of M.Tech. (Agril.Engg.) candidate (Ex.916), as stated by Shri P. T. Muley, A.S.O. (Exam. Section) in para 2 of his additional affidavit dated 30.4.2009 (Ex.939) he had initially put the date 14.6.2005 upon it (Ex.916) but then corrected it to 13.06.2005 as per the instructions of the Assistant Registrar Shri A.S. Katre. In this regard, Shri A. S. Katre, Assistant Registrar (Exam. Section) stated in para 4 of his affidavit dated 12.06.2009 (Ex 944) that originally also the date put by Shri P. T. Muley, A.S.O. (Exam. Section) upon the said Manuscript of the Result Notification about M.Tech (Agril. Engg.) candidate (Ex. 916) was 13.06.2005 but according to him there was overwriting by him in writing the digit “3” in the date 13th therein.

1736) As regards the Manuscript of the Result Notification of 3 M.Sc. (Agri.) candidates (Ex. 918) contained in their file (Ex.932) surprisingly it bears the date 9.6.2005 and not 13.6.2005 as in the Manuscripts of the Result Notifications of Ph.D. and M.Tech. (Agril.Engg.) candidates (Exs. 904-A, and 916) in the files (Exs.904 and 931) referred to above. When questioned in this regard, Shri P.T. Muley, (A.S.O.) (Exam.Section) admitted in para 3 of his additional affidavit dated 30.4.2009 (Ex.939) that he put the date 9.6.2005 upon it. He however, stated that he was on leave on 9.6.2005 and had put the said date actually on

14.6.2005 as told to him by Shri A.S. Katre, Assistant Registrar (Exam. Section), who after seeing the said Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) in the said file (Ex.932), admitted in para 5 of his affidavit dated 12.06.2009 (Ex. 944) that it bears the date 9.6.2005. He then stated the said date 09.06.2005 is put by Shri P.T. Muley, dealing clerk in ink in his own handwriting. He also admitted therein that the Manuscripts of the other two Result Notifications about Ph.D. candidates (Exs. 904-A) and M.Tech. (Agril.Engg.) candidate (Ex. 916) which were received in the Examination section on the same day (i.e. 14.6.2005) alongwith the aforesaid Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) bear the date 13.6.2005. When questioned about it, he stated therein that it was not possible for him to tell why a different date 9.6.2005 was put upon the Manuscript of the said Result Notification of M.Sc. (Agri.) candidates (Ex.918). He reiterated that he did not enquire on what date the Vice-Chancellor had signed the Manuscript of the Result Notification (Ex.918). He then denied that he had instructed the dealing clerk Shri P.T. Muley, to put the said date upon the said Manuscript (Ex.918). He also denied that Dr.Vandan Mohod, Deputy Registrar (academic) told him that the Vice-Chancellor had signed the Manuscript of the said Result Notification of M.Sc. (Agri.) candidates (Ex.918) on 9.6.2005 and therefore he instructed Shri P.T. Muley, dealing clerk to write the said date upon it (Ex.918).

1737) Considering the additional affidavit of Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar dated 11.6.2009 (Ex.943) on the question of the dates upon the Manuscripts of the Result Notifications of Ph.D., M.Tech. (Agril.Engg.) and M.Sc. (Agri.) candidates (Exs.904-A, 916 and 918) contained in their respective files (Exs. 904, 931 and 932), he stated in para 8 of his aforesaid affidavit that the date written in ink upon the Manuscript of the Result Notification of the above Ph.D. candidates (Exs. 904-A) contained in the file (Ex.904) by Shri P.T. Muley, A.S.O., (Exam. Section) in his own handwriting is 13.6.2005 and the said date according to him is correct although in subsequent para 11 read with para 16 of his aforesaid affidavit referred to earlier in this Enquiry Report, he stated that he learnt that the said Manuscript of the Result Notification (Ex.904-A) was signed by the Vice-Chancellor in the evening hours on 8.6.2005 when he made enquiry on his mobile phone either in the evening on 8th or in the morning on 9th June 2005 about it because he was not in Akola at that time as he had gone on tour at 5.00 P.M. on 7th and returned back to Akola at 2 a.m. on 11th June 2005 (vide log book of the vehicle Ex-889). He did not however, categorically state anywhere in his aforesaid affidavit that the date put upon the said Manuscript of the Result Notification (Ex.904-A) was wrong.

1738) As regards the Manuscript of the Result Notification of M.Tech. (Agril.Engg.) candidate (Ex.916) included in the file (Ex.931), after seeing it, he stated that earlier there was some other date put upon the said Manuscript (Ex.916) which was corrected to 13.6.2005. According to him, the said earlier date must have been 2nd June 2006, because as per the practice followed in the University, the Manuscript of the Result Notification was kept ready before the date on which the members of the Result Committee would commence their work of verification of marks of the concerned candidates and, therefore, according to him, the concerned clerk who had prepared the Manuscript of the Result Notification (Ex.916) must have put the date 2nd June 2005 because the members of the Result Committee were to come for verification of marks on 3.6.2005. As regards the question whether the earlier date upon the said Manuscript of the Result Notification (Ex.916) was 2nd June 2005 which was corrected to 13.6.2005. Shri A.S. Katre, Assistant Registrar (Exam. Section) stated in para 4 of his aforesaid affidavit dated 12.6.2009 (Ex.944) that it did not appear to him that the said earlier date was 2nd particularly when there were no letters “nd” therein.

1739) The above explanation of Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar in para 14 of his affidavit dated 11.6.2009 (Ex.943) cannot be accepted because apart from the fact that the earlier date upon the Manuscript of the Result Notification (Ex.916) does not appear to be 2nd June, 2005, particularly when there are no letters “nd” therein as rightly stated by Shri A.S. Katre, Assistant Registrar (Exam. Section), in para 4 of his aforesaid affidavit dated 12.6.2009 (Ex.944), Shri D.K. Bagde, who was at that time working as Section Assistant in the Examination Section was an experienced clerk working in the said post since 1990-91 and he knew very well that as per the practice and procedure followed in the University, the Manuscript of the Result Notification bears the date on which the Vice Chancellor approves and signs it and it is the concerned A.S.O. (Exam. Section) who puts the said date upon it when the file containing it comes back to him after the approval and signature of the Vice Chancellor upon it. He therefore, knew very well that after obtaining the signatures of the Chairman and two Members of the Result Committee, upon the Manuscript of the Result Notification prepared by him on his computer in which its proforma is fed, he has to send it to the A.S.O. (Exam.Section) Shri P.T. Muley, for its further processing i.e. for obtaining approval of the Vice-Chancellor to the said Manuscript of the Result Notification and thereafter taking steps for issuing the Result Notification signed by the Registrar for declaration of Result as required by para 33 of the Regulation AC/8 (Ex. 32) (Vide Para 10 of his affidavit dated 13.4.2009 (Ex.910)). He would not therefore put any date upon the Manuscript of the Result Notification prepared by him in the proforma fed in his computer.

1740) As regards the Manuscript of the Result Notification of three M.Sc. (Agri.) candidates (Ex.918) contained in the file (Ex.932), after seeing it, Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar stated in para 15 of his affidavit dated 11.6.2009 (Ex.943) that it bears the date 9.6.2005 because according to him perhaps their office might have learnt that the Vice-Chancellor signed it on 8.6.2005 in the evening. It may be seen that the said file (Ex.932) also came in his office alongwith the other two files (Exs.904 and 931) on 14.6.2005 as admitted by him in the said para 15 of his aforesaid affidavit and the Manuscripts of the Result Notifications therein (Exs. 904-A and 916) bear the date 13.6.2005. If their office had learnt that the Vice-Chancellor had signed the Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) on 8.6.2005 in the evening, then the other two Manuscripts of the Result Notifications viz. (Exs-904-A and 916) must have been also signed by him on that day which their office would know. It is difficult to see why only upon the Manuscript of the Result Notification (Ex.918), the date put is 9.6.2005 whereas upon the other two Manuscripts of the Result Notifications (Exs. 904-A and 916), the date put is 13.6.2005, when all the three files (Exs. 904, 931 and 932) containing the said three Manuscripts of the Result Notifications (Exs. 904A, 916 and 918) which were signed on the same day i.e. in the evening on 8.6.2005 as stated herein before, were received under the closed cover in the Examination Section on the same day i.e.14.6.2005 and the above dates upon the said Manuscripts of the Result Notifications (Ex.904-A, 916 and 918) were also put on the same day i.e. 14.6.2005.

a-4) Criticism of the date which the Manuscripts of the Result Notifications (Exs.904-A, 916 and 918) bear

1741) There is no dispute amongst the concerned officers of the Examination Section in the University viz. Shri P.T. Muley, ASO, Shri A.S. Katre, Assistant Registrar, and Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar that as per the convention / practice in the University the date put upon the Manuscript of the Result Notification is the date on which the Vice-Chancellor had signed it, vide paras 4,2 and 9 of their affidavits dated 20.4.2009 (Ex.914), 12.6.2009 (Ex.944) and 11.6.2009 (Ex.943) respectively. The dates however, put upon the Manuscripts of the Result Notifications of the concerned candidates viz. Ph.D., M.Tech. (Agril.Engg.) and M.Sc. (Agri.) candidates (Exs. 904-A, 916 and 918) raised the controversy about their correctness or otherwise. As already pointed out, the Manuscripts of the Result Notifications of Ph.D. and M.Tech. (Agril.Engg.) candidates (Ex.904-A and 916) bear the date 13.6.2005 while the Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) bears the date 9.6.2005 and not 13.6.2005 although, all the said three Manuscripts (Ex. 904-A, 916 and 198) were signed by the Vice Chancellor on the same day vide para 1743 of the Enquiry Report.

1742) Perusal of paras 2,3 and 4 of the additional affidavit of Shri P.T. Muley, ASO (Exam. Section), dated 30.04.2009 (Ex. 939) would show that he had put the said dates upon the Manuscripts of the said Result Notifications (Exs. 904-A, 916 and 918) actually on 14.6.2005 since he had received the files (Exs. 904, 931 and 932) containing them on that day i.e. 14.6.2005 on which the said files (Exs. 904, 931 and 932) were received in the office of the Deputy Registrar (academic) as is clear from the signature of Shri D.M. Kulkarni, Peon of the said office, upon the file Movement Register of the office of the Dean (PGS) (Ex.924) from which he had personally collected and brought back the said files (Ex. 904, 931 and 932) on that day. Shri A.S. Katre, Asstt. Registrar (Exam.Section) also stated in para 2 of his additional affidavit dated 12.6.2009 (Ex.944) that as stated by Shri . P. T. Muley, A.S.O., (Exam. Section) in para 1 of his additional affidavit dated 30.04.2009 (Ex. 939), the dates which the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) bear were actually written upon them on 14.6.2005 i.e. after the said files (Exs. 904, 931 and 932) came back to their office on that date.

1743) The affidavit of Shri V.S. Deshmukh, PA to the then Vice-Chancellor dated 23.4.2009 (Ex.946) read with the material brought on record shows that the signatures were put by the Vice-Chancellor in upon the files received in closed confidential cover bearing no. Reg/517/05, in the evening hours i.e. from 6.30 p.m. to 10.00 p.m. at his residence office on 8.6.2005. The material on record shows that as stated by Shri P.T. Muley, ASO, (Exam.Section) in para 1 of his additional affidavit dated 30.4.2009 (Ex.939) the said closed confidential cover contained the aforesaid 3 files (Exs. 904, 931 and 932) which included the Manuscripts of the Result Notifications of the above candidates (Ex.904-A, 916 and 918) for signatures of the Vice-Chancellor thereon. As stated in the aforesaid affidavit of Shri V.S. Deshmukh, PA to Vice-Chancellor, after the signatures of the Vice-Chancellor upon the said Manuscripts of the Result Notifications (Ex. 904-A, 916 and 918) the aforesaid closed confidential cover containing the said three files was sent to the office of the Dean (PGS) on 9.6.2005 bearing V.C.'s Office no. VC/1358 dated 9.6.2005. It is not in dispute that, as per the practice in the University, the Manuscript of the Result Notification bears the date on which the Vice-Chancellor had signed it. All the aforesaid three Manuscripts of the Result Notifications (Exs.904-A, 916 and 918) should have thus, borne the date either 8.6.2005 or 9.6.2005 since the Vice-Chancellor signed them in the evening hours on 8.6.2005 i.e. after regular office hours. The said date i.e. either 8.6.2005 or 9.6.2005 ought to have therefore been put upon the Manuscripts of the said three Result Notifications (Ex.904-A,916 and 918), after their files (Ex.904, 931 and 932) came back in the office of the Deputy Registrar (academic)/ Registrar on 14.6.2005. However, for the reasons better known to the concerned officers in the Examination Section, as shown above except the Manuscript of the Result Notification of M.Sc. (Agri.) candidate (Ex.918) which

bears the date 9.6.2005, the Manuscripts of the other two Result Notifications of Ph.D. and M.Tech. (Agril.Engg.) candidates(Ex.904-A and 916) bear the date 13.6.2005.

1744) It is pertinent to see that when the file relating to the Result Notifications comes back in the office of the Deputy Registrar (Academic) after the approval and signature of the Vice-Chancellor upon the Manuscript of the Result Notification contained therein but the said file does not show the date on which the Vice-Chancellor had signed the office note in that regard and / or the Manuscript of the Result Notification approved by him with his signature upon it by putting the date below his signatures thereon, the concerned officers in the Examination Section need to make enquiry about it since the date to be put upon the Manuscript of the Result Notification is the date on which it is approved and signed by the Vice-Chancellor. It is true that the said date, as admitted by Shri P.T. Muley, ASO (Exam.Section), in para 4 of his affidavit dated 20.4.2009 (Ex.914), is put by him in his own handwriting and therefore primarily it is his responsibility to make enquiry as to on which date the Vice-Chancellor had signed the Manuscript of the Result Notification. However, it does not mean that the other concerned officers in the Examination Section i.e. the Assistant Registrar (Examination Section) and the Deputy Registrar (academic), need not and would not make any enquiry about it. It is equally their responsibility also to see that the Results of the concerned candidates are declared after following the proper procedure in that regard.

1745) In fact, Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, himself stated in para 11 of his additional affidavit dated 11.6.2009 (Ex.943) that since, as the Deputy Registrar (academic), he was authorized to issue the Result Notification about declaration of Result, he would keep on enquiring from the Vice-Chancellor or his PA whether the Vice-Chancellor had approved and signed the Manuscript of the Result Notification as the students concerned would keep on asking him about their Results. It, however, appears from paras 2, 3, and 4 of the additional affidavit of Shri P.T. Muley, ASO (Exam. Section) dated 30.4.2009 (Ex.939), and paras 3,4 and 5 of the additional affidavit of Shri A.S. Katre, Assistant Registrar (Exam. Section) dated 12.6.2009 (Ex.944) that they are trying to shift upon each other the responsibility about making enquiry about the date/s on which the Vice-Chancellor had signed the Manuscripts of the Result Notifications of the Ph.D., M.Tech. (Agril.Engg.) and M.Sc. (Agri.) candidates (Exs.904-A, 916 and 918) included in their files (Exs. 904, 931 and 932) respectively.

1746) It is difficult to believe that none of the above concerned officers and in particular, Shri P.T. Muley, ASO (Exam.Section) would make enquiry about the date on which the Vice-Chancellor signed the Manuscripts of the Result Notifications of the above concerned candidates (Exs. 904-A, 916 and 918). Had any of these officers in the Examination section

made enquiry about the same, it would have been known to all the concerned officers in the Examination Section and in particular Shri P.T. Muley, ASO (Exam.Section) whose duty it is, to put the date upon the Manuscript of the Result Notification, that the Vice-Chancellor had signed the said Manuscripts of the Result Notifications (Exs.904-A, 916 and 918) in the evening hours on 8.6.2005. If Dr.Vandan Mohod, Deputy Registrar (Academic)/ Registrar, as stated by him in para 11 read with para 16 of his additional affidavit dated 11.6.2009 (Ex.943), had learnt that the Vice-Chancellor signed the said Manuscripts (Exs. 904-A 916 and 918) in the evening hours on 8.6.2005, by making enquiries about the same on his mobile phone in the evening on 8th or in the Morning on 9th June 2005 and informed the officers concerned in the Examination section about the same, there was no reason why Shri P.T. Muley, ASO (Exam.Section) should put the date 13.6.2005 upon the Manuscript of the Result Notification of the Ph.D. candidates in question Ku. Swati G. Bharad and Shri Atul D. Warade (Ex.904-A) and originally the date 14.6.2005 upon the Manuscript of the Result Notification of M.Tech. (Agril.Engg.) candidate (Ex.916) and then correcting it as 13.6.2005 as stated by him in para 2 of his additional affidavit dated 30.4.2009 (Ex.939). Whosoever might have made the enquiry at any rate after the said files (Exs. 904, 931 and 932) came back in their office on 14.6.2005, Shri P.T. Muley, ASO (Exam.Section) would definitely know that the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) were signed by the Vice-Chancellor in the evening on 8.6.2005. It appears to be, therefore, fishy why the date 13.6.2005 is put upon the aforesaid Manuscripts of the Result Notifications (Exs. 904-A and 916) and only on the Manuscript of the Result Notification (Ex.918) the date put is 9.6.2005.

1747) It may be seen that when all the three files (Exs. 904, 931 and 932) containing office notes written by Shri P.T. Muley, ASO (Exam. Section) on the same day i.e. 6.6.2005 about the respective Manuscript of the Result Notification included therein came back to their office on the same day i.e. 14.6.2005 under the same closed confidential cover and when the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) therein were signed by the Vice-Chancellor on the same day i.e. 8.6.2005, it is strange that one of these Manuscripts (Ex.918) about M.Sc. (Agri.) candidate should alone bear the date 9.6.2005 and the other two (Exs. 904-A and 916), 13.06.2005. The question would necessarily arise and would be asked as to why a different date 13.6.2005 was being written upon the said two other Manuscripts of the Result Notifications about Ph.D. and M.Tech. (Agri.) candidates (Exs.904-A, and 916). Be that as it may, the principal question would be as to on which date the Result Notification for declaration of Result in the case of Ph.D. candidates in question, Ku.Swati G. Bharad and Shri A.D. Warade (Ex. 904-B) was prepared and issued which is considered in the next topic relating to the date upon the Result Notification prepared for declaration of their Result.

1748) In order to avoid any controversy about the date to be put upon the Manuscript of the Result Notification after the file containing it comes back to the A.S.O. concerned in the Examination Section, as it is a precious document regarding approval of the Result of the PG and Ph.D. candidates as per the provision of para 33 of the Regulation AC/8 (Ex.32), it is better that the Vice-Chancellor should himself put the date below his signature upon the Manuscript of the Result Notification and/or upon the office note regarding it showing on which date he had signed it in token of its approval which date can then be put upon it either by his P.A. or after the file comes back in the Examination Section by the ASO concerned.

a-5) Date upon the Result Notifications prepared for declaration of Result (Exs. 904-B, 917 and 919) signed by the Deputy Registrar (academic)/Registrar

1749) As regards the date upon the Result Notifications (Exs. 904B, 917 and 919) of the concerned Ph.D., M. Tech (Agril. Engg.) and M.Sc. (Agri.) candidates prepared for declaration of Result signed by the Deputy Registrar (academic)/Registrar included in their files (Exs. 904, 931 and 932), Shri P.T. Muley, A.S.O. (Exam.Section), in para 8 of his affidavit dated 20.4.2009 (Ex.914) and in paras 2 and 3 of his additional affidavit dated 30.4.2009 (Ex.939), stated that the original computerized date upon the said Result Notifications prepared for declaration of Result (Exs.904-B, 917 and 919) contained in the files (Exs. 904,931 and 932) was 14.6.2005 which was corrected as 13.6.2005 by Shri A.S. Katre, the Assistant Registrar (Exam. Section), in his own handwriting. Shri A.S. Katre, admitted in para 5 of his affidavit dated 7.4.2009 (Ex.907) as well as in paras 4 and 5 of his additional affidavit dated 12.6.2009 (Ex.944) that originally the computerized date upon the said Result Notifications prepared for declaration of Result (Exs.904-B, 917 and 919) was 14.6.2005 which was corrected by him to 13.6.2005. As regards the date put upon the Result Notification prepared for declaration of Result, Shri P. T. Muley, A.S.O. (Exam. Section) and Shri A. S. Katre, Assistant Registrar, (Exam. Section), have both stated in paras 4 and 2 of their respective affidavits dated 20.04.2009 (Ex. 914) and 12.06.2009 (Ex. 944) that it bears the date as on its Manuscript i.e. the date on which the Vice Chancellor had signed it. Shri A. S. Katre, Assistant Registrar (Exam.Section), therefore stated in paras 3 and 4 of his aforesaid affidavit dated 12.06.2009 (Ex. 944) that, since the Manuscripts of the Result Notifications of Ph.D. candidates (Ex. 904-A) and M.Tech. (Agril.Engg.) candidate (Ex.916) bore the date 13.6.2005, as put by Shri P. T. Muley, the concerned ASO (Exam.Section) the date 14.06.2005 on their Result Notifications for declaration of Result (Exs. 904-B and 916) was corrected by him as 13.06.2005. But as regards the Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918), the date put upon it by Shri P. T. Muley, A.S.O. (Exam. Section) was 9.6.2005 but the date 14.06.2005 on their Result Notification for declaration of Result was not corrected as

09.06.2005 but was corrected as 13.6.2005 because according to Shri A. S. Katre, Assistant Registrar (Exam. Section), as stated by him in para 6 of his additional affidavit dated 12.6.2009 (Ex.944), through oversight, he had before him the Manuscripts of the Result Notifications (Exs.904-A and 916) and since the date put upon them was 13.6.2005 he put the same date i.e. 13.6.2005 upon the Result Notification prepared for declaration of Result of M.Sc. (Agri.) candidates (Ex.919) by correcting the printed date 14.6.2005 upon it.

1750) It is interesting to see that Shri A.S. Katre, the Assistant Registrar (Exam. Section) had himself put the date below his signature upon the office note written by Shri P. T. Muley, A.S.O. (Exam. Section) upon the backside of page 21/N of the file Ex.931 which office note is about the issue of Result Notification for declaration of Result of the M.Tech. (Agril.Engg.) candidate (Ex.917) although no date was put by him below his signatures upon such office notes regarding the issue of Result Notifications (Exs. 904-B, and 919) for declaration of Result of the candidates in the other files (Exs. 904 and 932). As regards the said date put by him below the note-sheet in regard to the issue of Result Notification of M.Tech. (Agril. Engg.) candidate (Ex.917), there is correction made by him in the said date. He stated in para 7 of his additional affidavit dated 12.6.2009 (Ex.944) that after careful scrutiny he found that the original date put by him in his own handwriting below his signature upon the said office note written by Shri P.T. Muley, ASO, (Exam. Section) on the back side of page 21/N of the said file (Ex.931) was 9.6.2005 which was corrected by him to 14.6.2005 and not vice versa. He then stated that he did not remember now as to on what basis he put the date 9.6.2005 below his signature upon the said office note. He clarified therein that nobody including the Deputy Registrar (Academic) Dr.Vandan Mohod, told him that the Vice-Chancellor had signed the Manuscript of the Result Notification (Ex. 916) on 9.6.2005. He also stated that he did not personally make any enquiry from the office of the Vice-Chancellor regarding the dates on which he signed the Manuscripts of the Result Notifications (Ex.904-A, 916 and 918). He, however, stated that when he realized that the said file (Ex.931) itself came to their office on 14.6.2005, he corrected the said date 9.6.2005 below his signature upon the said office note in the file (Ex.931) to 14.6.2005.

1751) As regards the dates put upon the Result Notifications prepared for declaration of Result of the concerned candidates in the said files (Exs. 904, 931 and 932), Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, stated in para 13 of his affidavit dated 11.6.2009 (Ex.943) that after seeing the Result Notification prepared for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri A.D. Warade (Ex.904-B) in the file (Ex.904), he found that earlier there was some other date upon it which was corrected to 13.6.2005. He admitted that if the said Result Notification for declaration of Result was

prepared on 13.6.2005 itself, there was no reason to put a wrong date upon it but according to him, it appeared that it might have been prepared earlier on 9.6.2005 which date might have been put upon it but as it was signed and issued by him on 13.6.2005 the said date might have been corrected as 13.06.2005. After seeing the Result Notification for declaration of Result of M.Tech. (Agril.Engg.) candidate (Ex.917) in the file (Ex.931) and the Result Notification for declaration of Result of three M.Sc. (Agri.) candidates (Ex.919) in the file (Ex.932), he stated in paras 14 and 15 of his aforesaid affidavit that earlier there was some other printed date upon them which was corrected to 13.6.2005 but it was not possible for him to tell what the earlier date put upon them was.

a-6) Date/s which the Result Notification for declaration of Result of the concerned candidate/s issued by the Deputy Registrar (Academic)/ Registrar should bear

1752) It may be seen that although there is no dispute between the concerned officers of the Examination Section in the University Shri P.T. Muley, A.S.O., Shri A.S. Katre, Assistant Registrar and Dr.Vandan Mohod, Deputy Registrar (academic) about the date which the Manuscript of the Result Notification should bear as per the convention/practice in the University viz. that it should bear the date on which the Vice-Chancellor signed it, there is dispute between them as regards the date to be put upon the Result Notification for declaration of Result according to the convention / practice about it in the University. According to Dr.Vandan Mohod, the Deputy Registrar (academic) / Registrar, as stated by him in para 9 of his aforesaid affidavit dated 11.6.2009 (Ex.943) it would bear the date on which it is issued by the Registrar while according to Shri P.T. Muley, ASO (Exam. Section), as stated by him in para 4 of his affidavit dated 20.4.2009 (Ex.914), and the Assistant Registrar (Exam. Section) Shri A.S.Katre, as stated by him in para 2 of his additional affidavit dated 12.6.2009(Ex.944), the Result Notification prepared for declaration of Result also bears the same date as on its Manuscript i.e. the date on which the Vice-Chancellor signed it.

1753) In support of the practice that the Result Notification prepared for declaration of Result bears the date on which it is issued by the Registrar, Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar stated in para 4 of his affidavit dated 11.6.2009 (Ex.943) that many times the Vice-Chancellor was on tour and it took sometime for the file to move back to the A.S.O. concerned after his approval and signature upon the Manuscript of the Result Notification. According to him, many candidates including Ph.D. candidates rushed to the Examination Section to know their Results. He therefore stated that if the Results of the P.G. and Ph.D. candidates were ready for being declared in the sense that it was learnt from the Vice-Chancellor or his office that he had approved the Manuscripts of their Result Notifications by signing them, then without waiting for their files to come back to the A.S.O. concerned in the

Examination section and without waiting for his office notes and the Result Notifications prepared by him for declaration of Result which were forwarded to him, for being issued the Results of such candidates which were approved by the Vice-Chancellor by signing the Manuscripts of their Result Notifications were immediately declared by him by signing and issuing the Result Notifications prepared for declaration of their Result. He however, made it clear in the said para 4 that no results were declared unless the Vice-Chancellor had approved the Manuscripts of the Result Notifications by signing them.

1754) As regards the issue of the Result Notification for declaration of Result, signed by the Deputy Registrar (academic)/ Registrar, two questions need consideration :-

- i) Whether it can be prepared and issued without waiting for the file containing its Manuscript signed by the Vice-Chancellor in token of its approval to come back to the office of the Deputy Registrar (academic) i.e. to the concerned ASO in the Examination Section, and
- ii) Whether as per convention / practice in the University, the Result Notification prepared for declaration of Result bears the date as on its Manuscript i.e. the date on which the Vice-Chancellor signed it or the date on which it is issued by the Registrar

1755) Shri A.S. Katre, the Assistant Registrar (Exam. Section), stated in para 8 of his affidavit dated 12.6.2009 (Ex.944) that the Result of the candidate/s is in no case declared unless the file with the signature of the Vice-Chancellor upon the Manuscript of their Result Notification is received back in their office although the Result Notification for declaration of his/their Result may bear the earlier date i.e. the date on which the Vice-Chancellor approved and signed the Manuscript of his/their Result Notification. According to him, the Result Notification for declaration of Result is actually prepared after the file concerning it is received by them from the office of the Vice-Chancellor with his signature upon its Manuscript in token of its approval although it bears the same date as on its Manuscript i.e. the date on which the Vice Chancellor had signed it. Further, according to him, where there is urgency for declaration of Result of some candidates the concerned clerk himself takes the file to the concerned authorities and finally to the Vice-Chancellor and after he brings back the file with the signature of the Vice-Chancellor upon the Manuscript of the Result Notification, the Result Notification for declaration of Result of such candidates is prepared and issued with the signature of the Deputy Registrar (academic)/ Registrar to declare their result.

1756) As stated by Shri A.S. Katre, Assistant Registrar (Exam. Section), and Dr.Vandan Mohod, the Deputy Registrar (academic) / Registrar in paras 2 and 9 of their respective affidavits dated 12.6.2009 (Ex. 944) and 11.6.2009 (Ex.943), since there is no rule, regulation

or statute prescribing the date which the Manuscript of the Result Notification and the Result Notification prepared for declaration of Result should bear the question to be considered would be what the practice or the convention about the same followed in the University is. As pointed out above two concerned officers/employees of the University viz. Shri P.T. Muley, ASO (Exam. Section), and Shri A.S. Katre, Assistant Registrar (Exam. Section) stated that the Manuscript of the Result Notification and the Result Notification prepared for declaration of Result should bear the same date i.e. the date on which the Vice-Chancellor had signed the Manuscript of the Result Notification in token of its approval. Their affidavits in this regard stand supported by three files of the Result Notifications about Ph.D. candidates (Ex.904), M.Tech. (Agril.Engg.) candidates (Ex.931) and M.Sc. (Agri.) candidates (Ex.932). Perusal of the said files (Exs. 904, 931 and 932) shows that all the Result Notifications therein prepared for declaration of Result bear the same date as on their Manuscripts although after the signature of the Vice-Chancellor upon the Manuscripts of the Result Notifications the said files came back to the A.S.O. concerned in the Examination Section some time thereafter through the same channel through which it had gone to the Vice-Chancellor. It is after the receipt of the said files in the Examination Section, that the Result Notifications for declaration of Result of the concerned candidates therein are prepared which are then put-up for approval of the Deputy Registrar (academic)/Registrar and are signed by him for being issued.

1757) A chart of some candidates whose results were declared, prepared by this office from the said files (Exs.904, 931 and 932) showing that the Result Notifications for declaration of Result of the candidates bear the same date as on their Manuscripts i.e. the date on which the Vice-Chancellor signed them is as follows :-

Sr. No.	Name of Student	Date of Signature of Vice Chancellor on Manuscript for Office Note	File received in the office of Registrar/Deputy Registrar (Academic) See also the remarks in this column	Date of Manuscript of Result notification	Date of Result notification for declaration of result.
File about Ph.D. students (Ex.904) (See also paras 1758 to 1760 of the Enquiry Report)					
1.	Nemade Suresh Uttam	10.02.2004	13.2.2004, Office note signed by Dr.V.K. Mohod, Dy. Registrar also on 13.2.2004.	10.02.2004	10.02.2004
2.	Jadhao Babusing Jeta	25.02.2004	26.02.2004	25.02.2004	25.02.2004

Continued...

Sr. No.	Name of Student	Date of Signature of Vice Chancellor on Manuscript for Office Note	File received in the office of Registrar/Deputy Registrar (Academic) See also the remarks in this column	Date of Manuscript of Result notification	Date of Result notification for declaration of result.
3.	R. S. Shivankar	28.05.2004	After approval and signature of the Vice Chancellor upon the Manuscript of the Result notification on 28.05.2004 the file returned to Dr. Vandan Mohod, the then Registrar on the same day i.e. 28.5.2004 marked to Shri P.T. Muley on 31.5.2005 on which date he put up office note for issuing the Result Notification. Dr. V. K. Mohod signed it 01.06.2004 (page No. N/11 to N/13).	28.05.2004	28.05.2004
4.	Arvind Khandare	24.08.2004	After approval and signature of the Vice Chancellor upon the Manuscript of the Result notification on 24.08.2004, Shri P.T. Muley, ASO (Exam.Section) put up the office note on the same day but Dy. Registrar, Dr. V. K. Mohod, signed the office note on 27.08.2004 and also put date below signature on Result notification) Page No. N/19 & 35/C.	24.08.2004	24.08.2004
5.	Ku. Bhavana Wankhede	15.09.2004	File moved by the Registrar's office on 15.09.2004 and received the file after Vice Chancellor's approval on 15.09.2004 only and Dy. Registrar, Dr. V. K. Mohod, signed on 15.09.04, Page. No. N/21.	15.09.2004	15.09.2004
6.	G. J. Bhagat and P. D. Modaku	30.11.2004	02.12.2004 Office Note at page N/25 signed by the Registrar on 4.12.2004 who has put the same date on result notification for declaration of Result i.e. at page 45/C.	30.11.2004	30.11.2004
Ex. 931 (See also paras 1761 and 1762 of the Enquiry Report)					
1.	B. V. Khobragade	03.01.2004	05.01.2004, Dy. Registrar, Dr. V. K. Mohod, signed the office note on 05.01.2004	03.01.2004	03.01.2004

Continued...

Sr. No.	Name of Student	Date of Signature of Vice Chancellor on Manuscript for Office Note	File received in the office of Registrar/Deputy Registrar (Academic) See also the remarks in this column	Date of Manuscript of Result notification	Date of Result notification for declaration of result.
2.	P. K. Aware	08.11.2004	Vide para 1761 of the Enquiry Report Asstt. Registrar (Exam.) signed the Manuscript on 10.11.2004 (Page No. 15/C) as he was on tour hence result notification for declaration of result could not have been prepared before that date.	08.11.2004	08.11.2004
3.	S. N. Manwar	21.12.2004	Dy. Registrar, Dr. V. K. Mohod, signed the office note on 22.12.2004.	21.12.2004	21.12.2004
Ex. 932 (See also para 1763 of the Enquiry Report)					
1.	Ku. P. A.. Lad & S. G. Patil	12.07.2004	14.07.2004, Dy. Registrar, Dr. V. K. Mohod, signed the Result Notification on 14.07.2004	12.07.2004	12.07.2004
2.	D. B. Sarwe and 8 others	03.11.2004	04.11.2004, Dy. Registrar, Dr. V. K. Mohod, signed the Note and Result Notification on 04.11.2004	03.11.2004	03.11.2004
3.	P. K. Bhuyar & 33 others	08.11.2004	As the Asstt. Registrar and the Deputy Registrar (academic) had not signed the Manuscript of their Result Notification the Vice Chancellor had put “?” mark against their designation while signing the said Manuscript. Asstt. Registrar and Deputy Registrar signed the said Manuscript thereafter on 10.11.2004, whereafter the Result Notification for declaration of result of there candidates was prepared.	08.11.2004	08.11.2004
4.	N. N. Gudadhe and others	30.11.2004	02.12.2004, Office note and Result Notification signed by Registrar, R. B. Bali on 04.12.2004	30.11.2004	30.11.2004
5.	Funde Narayan Bhikaji & others	22.03.2005	23.03.2005, signed by Dr. V. K. Mohod on 23.03.2005.	22.03.2005	22.03.2005

1758) For instance, in the case of one Arvind Khandare, Ph.D. candidate the office note of Shri P.T. Muley, A.S.O. (Exam. Section) dated 24.8.2004 for signature and issue of

Result Notification for declaration of his Result by the Deputy Registrar (academic) is at page N/19 of the file (Ex.904) and it is approved and signed by Dr. Vandan Mohod, Deputy Registrar (academic) on 27.8.2004 which is the date put by him below his signature upon the said office note, since, as it appears from the remarks against his designation, he was on tour. The Manuscript of his Result Notification signed by the Vice-Chancellor is at page 33/C of the said file (Ex.904) and it bears the date 24.8.2004. The Result Notification prepared for declaration of Result signed by the Deputy Registrar (academic) /Registrar, Dr.Vandan Mohod is on the next page i.e. 35/C of the said file (Ex.904) and it also bears the same date 24.8.2004 although the date put by the Deputy Registrar (academic)/ Registrar, below his signature upon it is 27.8.2004. It is thus clear from the date put by him below his signatures upon the office note and the Result Notification for declaration of Result itself that Dr.Vandan Mohod, himself, signed and issued it actually on 27.8.2004, although it bears the same date as on its Manuscript.

1759) The case of Ku. Bhavana Ramchandrarao Wankhede, Ph.D. candidate is a unique case. Perusal of back side of page N/19 of the file (Ex.904) would show that as per the first office note dated 15.9.2004 in her case, after verification of her marks, thesis etc. by the Result Committee on 15.9.2004, the Manuscript of her Result Notification signed by the Chairman and two Members of the Result Committee was sent to the ASO (Exam.Section) Shri P.T.Muley, on the same day i.e. 15.9.2004. The said A.S.O. (Exam. Section) wrote the office note on the same day i.e. 15.9.2004 and forwarded it to the Deputy Registrar (academic) since the Assistant Registrar (Exam.Section) was on tour. The Deputy Registrar (academic), Dr.Vandan Mohod, signed it on the same day i.e. 15.9.2004 and the said file was forwarded on the same day to the Dean (PGS) since the Registrar was then on tour. He recommended on the same day i.e. 15.9.2004 to the Vice-Chancellor that the Manuscript of her Result Notification should be approved and the Vice-Chancellor also signed the said office note on the same day i.e. 15.9.2004 in token of its approval. The Manuscript of her Result Notification dated 15.9.2004 is at page 39/C of the said file (Ex.904) and the Result Notification for declaration of her Result dated 15.9.2004 is on its next page i.e. 41/C. It is pertinent to see that the said date 15.9.2004 was the last date for submission of applications for these posts of SRA (Agri.) and JRA (Agri.) as per the advertisement dated 14.8.2004 (Ex.2). The speed with which her file moved on the same day would show that it must have been taken by the concerned clerk to all the officers concerned for finalization and declaration of her Result, which would also show that she was a favoured candidate as her file was moved speedily on the same day so that she would get her Ph.D. degree before the time for submission of applications for the said posts was over.

1760) In the case of Ph.D. candidates Shri G.J. Bhagat, and Shri P.D. Modku contained in the file (Ex. 904), the Manuscript of their Result Notification was signed by the Vice-Chancellor on 30.11.2004 by putting the said date below his signature upon the office note dated 24.11.2004 in that regard in token of its approval, vide back side of page N/23 of the said file (Ex.904). After the signature of the Vice-Chancellor, the said file (Ex. 904) was received back in the Examination Section on 2.12.2004 as is clear from the date put below his signature by the Assistant Registrar Shri A.S. Katre, on the said page. The office note for signature of the Registrar for issuing the Result Notification for declaration of Result at page N/25 of the said file (Ex. 904) shows that it is signed by him on 4.12.2004 which is also the date put by him below his signature upon the said Result Notification prepared for declaration of Result included at page 45/C of the said file (Ex.904) but the date which the said Result Notification for declaration of Result bears is 30.11.2004 which is the same as on its Manuscript which is at the earlier page 43/C of the said file (Ex. 904) i.e. the date on which the Vice-Chancellor had signed it.

1761) In the said file (Ex.931), in the case of P.K. Aware, the Manuscript of the Result Notification at its page 15/C and the Result Notification for declaration of Result at its next page 17/C bear the same date i.e. 8.11.2004 on which date the Vice-Chancellor approved the said Manuscript as is clear from the said date put by him below his signature upon the office note in that regard vide back side of page 13/N of the said file (Ex.931). The Result Notification for declaration of his Result, however, could not have been actually issued on the said date i.e. 8.11.2004 which it bears because the Assistant Registrar (Exam. Section) who was then on tour as can be seen from the office note on back side of page 13/N of the file (Ex.931), and whose signature is required upon the Manuscript of the Result Notification signed it on 10.11.2004 as is clear from the date put by him below his signature upon the Manuscript of the said Result Notification at page 15/C of the said file (Ex.931). Vide backside of page 13/N of the said file (Ex.931) no office note is written by the ASO (Exam.Section) for signing and issuing the Result Notification for declaration of Result by the Deputy Registrar (academic)/ Registrar.

1762) In the file (Ex. 931), in the case of Shri S.N. Manwar, M.Tech. (Agril.Engg.) candidate, the office note of Shri P.T. Muley, ASO (Exam. Section) for signature and issue of the Result Notification for declaration of Result by the Deputy Registrar (academic)/ Registrar which is on the back side of page 15/N of the said file (Ex.931) shows that the date on which the Manuscript of his Result Notification is approved and signed by the Vice-Chancellor is 21.12.2004. The date which the Manuscript of his Result Notification (at page 19/C) and the Result Notification for declaration of his Result on the next page 20/C of the said file (Ex.931)

bear the same date 21.12.2004 although it is clear from the date put by the Deputy Registrar (academic)/ Registrar, Dr.Vandan Mohod, below his signature on page 17/N upon the aforesaid office note on the back side of page 15/N and even the date put by him below his signature upon the Result Notification for declaration of Result that he signed the aforesaid office note and actually issued the Result Notification for declaration of Result on 22.12.2004 although it bears the date 21.12.2004.

1763) The instances included in the above chart from the file (Ex.932) clearly show that the date upon the Result Notifications for declaration of Result is the same as on their Manuscripts although the said file (Ex.932) containing the said Manuscripts was received later on in the Examination Section after the signatures of the Vice-Chancellor upon them which means that the Result Notifications for declaration of Result of the concerned candidates were actually issued later on although they bear the earlier date as on their Manuscripts. As regards, P. K. Bhuyar and 33 others see the chart in para 1757.

1764) It is thus clear from the files (Exs. 904, 931 and 932) that according to the practice followed in the University, the Result Notification for declaration of Result bears the same date as on its Manuscript i.e. the date on which the Vice-Chancellor signed it as stated by Shri A. S. Katre, the Assistant Registrar (Exam.Section) and Shri P.T. Muley, ASO (Exam. Section) in paras 2 and 4 of their respective affidavits dated 12.6.2009 (Ex.944) and 20.4.2009 (Ex.914) and not the date on which it is issued by the Registrar as stated by the Deputy Registrar (academic) / Registrar, Dr.Vandan Mohod, in para 9 of his affidavit dated 11.6.2009 (Ex.943) as is clear from the above files (Exs. 904, 931 and 932) which contain many Result Notifications for declaration of Result signed by him which bear the same date as on their Manuscripts although he signed and issued them later on, vide some such Result Notifications referred to above.

1765) Perusal of the said files (Exs. 904, 931 and 932) also shows that it is only after the said files are received back in the Examination Section after the approval and signature of the Vice-Chancellor upon the Manuscript of the Result Notification of the concerned candidates that the Result Notification for declaration of their Result is prepared and issued. If there is any urgency, then as stated by Shri A.S. Katre, Assistant Registrar (Exam. Section) in para 8 of his affidavit date 12.6.2009 (Ex. 944) the concerned Clerk from the Examination Section takes the file to the officers concerned and brings it back after the signature of the Vice-Chancellor upon the Manuscript of the Result Notification and thereafter the Result Notification for declaration of Result is prepared and is issued with the signature of the Deputy Registrar (academic)/ Registrar upon it to declare their Results, but in no case, according to him, the Results of the candidates are declared unless the file with the signature of the Vice-Chancellor upon the

Manuscript of the Result Notification is received back in their office although it may bear the earlier date i.e. the date on which the Vice-Chancellor had approved and signed its Manuscript. Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar stated in para 4 of his affidavit dated 11.6.2009 (Ex.943) that no results were declared unless the Vice-Chancellor approved the Manuscript of the Result Notification by signing it. He also stated in para 11 thereof that, as Deputy Registrar (academic), he was authorized to issue the Result Notification for declaration of Result and therefore he would keep enquiring from the Vice-Chancellor or his P.A. whether the Vice-Chancellor had approved and signed the Manuscript of the Result Notification since the students concerned would keep on asking him about their Results. If he thus learnt on phone that the Vice-Chancellor approved the Manuscript of the Result Notification by signing it, there would be no difficulty in bringing back the said file to his office immediately for preparation and issue of the Result Notification for declaration of Result by sending his peon or the clerk concerned in his office to the office of the Vice-Chancellor although he may be on tour. Therefore, as rightly stated by the Assistant Registrar (Exam. Section) Shri A.S. Katre, in the aforesaid para 8 of his affidavit dated 12.6.2009 (Ex. 944), in no case, the Result Notification for declaration of Result is issued unless the file is received back with the signature of the Vice-Chancellor upon the Manuscript of the Result Notification.

1766) It may be seen that the declaration of Result of Examination of the candidates is a sensitive matter and when the Result of the candidate/s is to be declared, the Deputy Registrar (academic)/ Registrar must be sure that the Vice-Chancellor had signed the Manuscript of their Result Notification and there is no communication gap or any confusion about it in the sense that instead of the Manuscript of the Result Notification of the candidates in question, he signed the Manuscript of the Result Notification of some other candidates or had put signatures upon some other files not relating to Result Notifications particularly when as per para 33 of the Regulation AC/8 (Ex.32), it is only after the approval of the Vice-Chancellor that the Registrar can declare the result. He can be sure about it only when the file comes back to his office and is actually examined by the officers/ employees concerned. They can then have a re-look also before the declaration of Result to see that there is no defect in the preparation of the Manuscript of the Result Notification of the candidates concerned. It cannot, therefore, be accepted that the Result Notification for declaration of Result can be issued without receipt of the file containing its Manuscript signed by the Vice-Chancellor only on the basis of having learnt on phone that the Vice-Chancellor had signed it. Whenever there is urgency, if on telephonic enquiry being made, it is learnt from the Vice-Chancellor's office that he had signed the Manuscript of the Result Notification of the candidates in question, then as stated by the Assistant Registrar (Exam. Section) Shri A.S. Katre, in para 8 of his aforesaid affidavit dated 12.6.2009 (Ex.944), the concerned clerk or the Peon in his office can bring back the file after

the signature of the Vice-Chancellor upon the Manuscript of the Result Notification. In fact, the file (Ex.904) containing the Manuscript of the Result Notification of the Ph.D. candidates in question (Ex.904-A) was brought back in the office of the Deputy Registrar (academic) by its Peon, Shri D.M. Kulkarni, on 14.6.2005 from the office of the Dean (PGS) after the signature of the Vice Chancellor upon the said Manuscript (Ex. 904-A) as shown hereinbefore.

1767) Two questions framed above on the basis of the affidavit of Dr.Vandan Mohod, Deputy Registrar (academic) / Registrar are thus answered as follows. (i) The Result Notification for declaration of Result signed by the Deputy Registrar (academic)/ Registrar cannot be prepared and issued unless the file containing its Manuscript signed by the Vice-Chancellor in token of its approval comes back to the office of the Deputy Registrar (academic) and / or the concerned ASO in the Examination Section. It is only after the receipt of the said file in the Examination Section that the Result Notification for declaration of Result is prepared and issued. (ii) As regards the date to be put upon the Result Notification prepared for declaration of Result, as per the convention / practice in the University, the Result Notification prepared for declaration of Result bears the same date as on its Manuscript i.e. the date on which the Vice-Chancellor signed it and not the date on which it is issued by the Registrar as stated by Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar in para 9 of his additional affidavit dated 11.6.2009 (Ex.943).

a-7) Date on which the Result Notifications for declaration of Result (Exs. 904-B, 917 and 919) were officially i.e. as per rules and practice in the University prepared and issued.

1768) Shri P.T. Muley, ASO (Exam. Section), and Shri A.S. Katre, Assistant Registrar (Exam.Section), stated that the Result Notifications for declaration of Result of the above candidates (Exs. 904-B, 917 and 919) were prepared and issued on 14.6.2005 although the date 14.6.2005 printed upon them was corrected to 13.6.2005 by Shri A.S. Katre, Asst. Registrar (Exam. Section), vide paras 2,3 and 4 and paras 2,3,4, 5 and 9 of the respective affidavits of Shri P.T. Muley, ASO (Exam. Section) and Shri A.S. Katre, Assistant Registrar (Exam.Section) dated 30.4.2009 (Ex.939) and 12.6.2009 (Ex.944). In fact, as shown hereinbefore, since the files (Exs. 904, 931 and 932) containing the Manuscripts of the Result Notifications of the concerned candidates (Exs. 904-A, 916 and 918) signed by the Vice Chancellor were brought back in the Examination Section by its peon on 14.6.2005, the Result Notifications for declaration of Result of the concerned candidates (Exs. 904B, 917 and 919) could not have been officially i.e. as per rules and practice in the University prepared and issued before 14.6.2005. As stated by Shri P.T.Muley, ASO and Shri A.S. Katre, the Assistant

Registrar in the Examination Section in the above paras of their aforesaid affidavits, the dates on the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) and the Result Notifications for declaration of Result (Exs. 904B, 917 and 919) were written on 14.6.2005 itself. If the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri Atul D. Warade (Ex.904-B) was actually prepared and issued on 14.6.2005 although it bears the corrected date 13.6.2005, its copy could not have been officially given to Ku. Swati G. Bharad on 13.6.2005 as stated by her.

1769) In this regard, it is necessary to notice the procedure followed in the University in actual declaration of Result of the candidates. Shri P.T. Muley, the concerned ASO (Exam. Section) stated in para 14 of his affidavit dated 20.4.2009 (Ex.914), that the candidates whose results are declared cannot know their results unless the Result Notification prepared for declaration of their Results is signed by the Deputy Registrar (academic)/Registrar and the copies thereof are forwarded to the officers/offices etc. as shown on their backside. Therefore, according to him, the candidates Ku. Swati G. Bharad and Shri Atul D. Warade, could not have known their Results on 13.6.2005 although on that date the Vice-Chancellor had approved and signed the Manuscript of the Result Notification (Ex.904-A) which is at page 67/C of the file (Ex.904) because the Result Notification prepared for declaration of Result (Ex.904-B) was actually signed by the then Registrar Dr.Vandan Mohod, on 14.6.2005 although according to the practice in the University the Result Notification for declaration of Result bears the same date as on its Manuscript (Ex.904-A) i.e. the date on which the Vice-Chancellor had signed it.

1770) Further, according to Shri P.T. Muley, ASO (Exam. Section) as stated by him in paras 11,12 and 13 of his aforesaid affidavit dated 20.4.2009 (Ex.914), vide S.no.440 of the despatch Register (Ex.903) of the Examination Section, it is after Dr.Vandan Mohod, the Deputy Registrar (academic)/ Registrar actually signed the Result Notification for declaration of Result (Ex.904-B) on 14.6.2005 that the copies thereof were prepared and circulated to the Officers/offices mentioned on their back side and also to the concerned tables in the Examination section on 15th or 16th June 2005 when only Ku. Swati G. Bharad and Atul D. Warhade could know their Results. It is necessary to see in this regard that as stated by him in para 16 of his aforesaid affidavit, the Xerox copies of the said Result Notification for declaration of Result (Ex.904B) must have been prepared on 14th or 15th June 2005 as it was signed by the then Registrar on 14.6.2005. He further stated in the said para 13 of his aforesaid affidavit that a copy of the Result Notification (Ex.904-B) signed by Dr.Vandan Mohod, the then Registrar, was never put up upon the Notice Board in the Examination section. Shri A.S. Katre, Assistant Registrar (Exam. Section) also described the same procedure about declaration of Result in para 7 of his affidavit dated 7.4.2009 (Ex.907). As regards the procedure followed

in declaration of result, Shri A.S.Katre, the Assistant Registrar (Exam.Section), corroborated him about it in para 7 of his affidavit dated 7.4.2009 (Ex.907) except that according to him, he did not know whether the copy of the Result Notification for declaration of Result of the aforesaid Ph.D. candidates (Ex.904-B) was put-up upon the notice board in the Examination Section or the notice board in the college or office of the PGI or not.

1771) It is pertinent to see that as stated by Shri P.T.Muley, ASO (Exam.Section), in para 9 of his affidavit dated 20.4.2009 (Ex.914), and by Shri A.S.Katre, the Assistant Registrar (Examination Section), in para 7 of his affidavit dated 7.4.2009, the copy of the Result Notification for declaration of Result of the candidates is not given to any student but he can get either provisional degree certificate (PDC) if he needs his result urgently and / or transcript of Mark-sheet, vide para 33 of Regulation AC/8 also in this regard. Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, in para 12 of his affidavit dated 11.6.2009 (Ex.943) also stated that according to Regulation AC/8, the copy of the Result Notification is not given to any student.

1772) Thus, according to the procedure followed in the University as narrated above, the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri Atul D. Warade, (Ex.904-B) was actually prepared and issued on 14.6.2005 after the file of the Result Notifications of Ph.D. candidates (Ex.904) was received back in the Examination section on that date itself i.e. 14.6.2005 although it bears the earlier date i.e. 13.6.2005 which is the same the date as on its Manuscript (Ex.904-A). However, according to Dr.Vandan Mohod, Deputy Registrar (academic)/Registrar, as stated by him in para13 of his affidavit dated 11.6.2009 (Ex.904-B), the said Notification for declaration of Result (Ex.904-B) was signed and issued by him on 13.6.2005 and therefore bears the said date. As regards the correction in the date upon the said Result Notification for declaration of Result (Ex.904-B) he stated that had it been prepared on 13.6.2005 there was no need to make any correction therein but according to him, it might have been presumably prepared on 9.6.2005 and the date put-up upon it might have been 9.6.2005 but as it was signed and issued by him on 13.6.2005, the said date was corrected as 13.6.2005 although, according to Shri A.S. Katre, Assistant Registrar (Exam.Section) who made the correction in the date upon it, the earlier date put upon it was 14.6.2005 i.e. the date on which it was prepared which was corrected by him to 13.6.2005 because the date put upon its Manuscript was 13.6.2005 vide para 9 of his affidavit dated 12.6.2009 (Ex.944).

1773) As regards the above statement of Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, that the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri Atul D. Warade (Ex.904-B) was signed and issued by him on

13.6.2005, vide para 13 read with para 12 of his affidavit dated 11.6.2009 (Ex.943), the said statement cannot be believed for the simple reason that after the file (Ex.904) containing the Manuscript of the Result Notification of the above candidates (Ex.904-A) was received in the Examination Section on 14.6.2005, there is an office note written by Shri P.T. Muley, ASO (Exam. Section) which is on the back side of page N/37 of the said file (Ex.904) in which it is stated that the Notification may kindly be signed for issuing. The said office note is signed by Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, on the same day i.e. 14.6.2005 in which the said date is put by him below his signature. Obviously when the said note is written after the said file containing the Manuscript of the Result Notification about the Ph.D. candidates (Ex.904-A) signed by the Vice-Chancellor is received back in the Examination Section, the word “Notification” used in the above office note of Shri P.T. Muley, ASO (Exam. Section) refers to the Result Notification for declaration of Result of the above candidates, which would mean that till then the said Notification was not signed and issued by Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar. While putting his signature below the said note on that date, Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar did not state that since the Notification for declaration of Result was already signed and issued by him on 13.6.2005, i.e. on the previous day there was no need to issue the said Notification for declaration of their Result again.

1774) Therefore, as stated by Shri P.T. Muley, ASO (Exam. Section), and Shri A.S.Katre, Asstt. Registrar (Exam.Section), in paras 14, and 19 of their respective affidavits dated 20.4.2009 (Ex.914) and 12.6.2009 (Ex.944), the Result Notification for declaration of Result of the above Ph.D. candidates (Ex.904-B) was officially i.e. as per rules and practice in the University issued on 14.6.2005, whereafter as stated by Shri P.T. Muley, ASO (Exam. Section) in paras 12 and 13 of his aforesaid affidavit dated 20.4.2009 (Ex.914), the copies thereof were forwarded on 15th and / or 16th June 2005 to the officers/ offices mentioned on their back side vide S.no.440 of the despatch Register of the Examination Section (Ex.903) and also to the concerned tables in the Examination Section. It is only then that as stated by him, the above Ph.D. candidates Ku. Swati G. Bharad and Shri A. D. Warade could know their result.

1775) As regards the date/s on which the Result Notifications for declaration of Result of the concerned candidates (Exs. 904-B, 917 and 919) in the files (Exs. 904, 931 and 932) were signed by Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, it is necessary to see that when the Manuscripts of the above Result Notifications (Exs. 904-A, 916 and 918) were signed by the Vice-Chancellor in the evening hours on 8.6.2005, Dr.Vandan Mohod, the Deputy Registrar (academic), as stated by him in para 16 of his affidavit dated 11.6.2009 (Ex.943) was not in Akola as he was out of station from 7.6.2005 to 11.6.2005 and he could

attend the office only on 13.6.2005, 11.6.2005 being second Saturday and therefore holiday. He stated in para 12 of his affidavit dated 11.6.2009 (Ex.943) that on 13.6.2005 when he went to his office at about 9.30 or 9.45 a.m. in the morning, he received telephone call from the Technical Secretary of the Vice-Chancellor that he had to act as Registrar and had, therefore, to attend as ex-officio Member Secretary the meeting of the Selection Committee, which was to commence from that day for interviews of the candidates for these posts of SRA/JRA. He further stated that at that time no officers or clerk of his office had come to him, nor the candidates concerned including Ku. Swati G. Bharad, for making enquiry about their Result. Further, according to him, there were “files on his table presumably about the Result Notifications” of the above candidates in which he put his signatures hurriedly and left for the meeting of the Selection Committee. According to him, he did not know as to what happened in his office as regards the above Result Notifications after he signed them i.e. he did not know whether their copies were made or not or whether they were sent to the officers/ offices or not or whether the copy of the same was put-up upon the notice board or not. He, however, improved his above version in para 16 of his aforesaid affidavit and stated that on 13.6.2005 alongwith the Result Notifications of the above candidates there were also other files and that he knew that the Result Notifications which were to be issued for declaration of Result and which were put-up on his table for his signatures were the Result Notifications of the above candidates.

1776) The above statement in para 12 of the affidavit of Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar dated 11.6.2009 (Ex.943) shows that he did not definitely know the subject matter of the files upon his table much less that they were about the Result Notifications of the above candidates since he had no time to go through them as he himself stated therein that he hurriedly put his signatures in the said files and left for the meeting of the Selection Committee. His statement that cannot be believed also for the reason that the above files (Exs. 904, 931 and 932) which contained the Manuscripts of the Result Notifications of the above candidates signed by the Vice-Chancellor (Exs.904-A, 916 and 918) were brought back in his office on 14.6.2005 from the office of the Dean (PGS) by the Peon of his office Shri D.M. Kulkarni as is clear from the file Movement Register of the office of the Dean (PGS) (Ex.924) which contained his signature in token of their receipt. The said files (Exs. 904, 931 and 932) which contained the Manuscripts of the Result Notifications of the above candidates signed by the Vice-Chancellor (Exs. 904-A, 916 and 918) could not have therefore been placed upon his table on 13.6.2005 as stated by him in the said para 12 of his aforesaid affidavit. There was therefore, no question of putting his signatures in the said files (Exs. 904, 931 and 932) on 13.6.2005 as stated by him therein.

1777) Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, made improvement in para 16 of his aforesaid affidavit dated 11.6.2009 (Ex.943) regarding his statement in para 12 referred to above stating therein that alongwith the Result Notifications of the above candidates, there were also other files on his table on 13.6.2005 and that he knew that the Result Notifications which were to be issued for declaration of Result and which were put-up on his table for signatures were the Result Notifications of the above candidates. It may be seen that the above statement in para 16 of his aforesaid affidavit is on the lines of his statement recorded in this enquiry on 11.6.2009 i.e. after about more than one month from 28.4.2009 on which date his statement in para 12 of his aforesaid affidavit was recorded in this enquiry. The above improvement in his earlier statement about the files being put up upon his table on 13.6.2005 presumably about the Result Notifications of the above candidates is made by him after knowing and /or realizing that the files (Exs. 904, 931 and 932) containing the Manuscripts of the Result Notifications of the above candidates signed by the Vice-Chancellor (Exs. 904-A, 916 and 918) were not received till then i.e. 13.6.2005 in the Examination Section but were received on 14.6.2005. As already held, it is difficult to believe that before receipt of the files (Exs. 904, 931 and 932) containing the Manuscripts of the aforesaid Result Notifications signed by the Vice-Chancellor (Exs. 904-A, 916, 918) in the Examination Section, the Result Notifications for declaration of Result of the said candidates (Exs. 904-B, 917 and 919) would be officially i.e. as per the rules practice and procedure followed in the University prepared and issued on 13.6.2005.

a-8) Copy of the Result Notification for declaration of Result (Ex.864) given to Ku. Swati G. Bharad in surreptitious manner on 13.6.2005

1778) Although, as shown above the Result Notification for declaration of Result of the Ph.D. candidates (Ex.904-B) was officially i.e. as per the practice and procedure followed in the University prepared and issued on 14.6.2005 after the file (Ex. 904) containing its Manuscript (Ex.904-A) signed by the Vice-Chancellor was brought back in the Examination Section on that day i.e. 14.6.2005, and therefore, its copy could not have been given to any candidate on 13.06.2005, the fact remains that as stated by Ku. Swati G. Bharad, in para 3 of her affidavit dated 9.3.2009 (Ex.865), she received from some person in the Examination Section, whom she could not name, the copy of the Result Notification for declaration of her Result in the morning on 13.6.2005 when she went to the said section to enquire whether her Result was declared or not as she needed it for her interview for the post of SRA (Agri.) fixed on that date itself. She annexed to her aforesaid affidavit a copy of the said Result Notification for declaration of Result separately marked as Ex.864 in this enquiry which is similar to the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri

A.D. Warade (Ex.904B) referred to above except that it does not contain the correction in the spelling of the word “Genetics” by addition of the letter “e” therein in the handwriting of Shri A.S.Katre, the Assistant Registrar (Exam.Section) in the column therein relating to subject of specialization. Further, according to her, she immediately went back to the place where her interview was fixed on that day itself i.e. 13.6.2005 and showed the verifying officers the above referred Result Notification for declaration of Result after scrutiny of which, according to her, they entered marks in the chart Ex.38(O). The said chart 38(O) shows that she received 10 marks for acquiring Ph.D.degree but does not refer to any document on the basis of which they were awarded to her.

1779) If a copy of the Result Notification for declaration of her Result (Ex.864) was handed over to Ku. Swati G. Bharad on 13.6.2005 in the morning, it would mean that the said Result Notification for declaration of her Result was prepared on that day i.e. 13.6.2005 from the Manuscript of the said Result Notification fed in the computer of Shri D.K. Bagde, Section Assistant (Exam. Section) by deleting the names/ designations of all the concerned officers in the University feeding therein only the designation of the Registrar Dr.PDKV, Akola. Otherwise, it would mean that even without showing the copy of the Result Notification for declaration of her result (Ex.864) she was awarded 10 marks by Verifying Officers particularly when in the chart Ex.38(O) no document was referred to by them on the basis of which they awarded her 10 marks and she might have received the said copy of her Result Notification (Ex.864) later on after the Result Notification for declaration of result of the concerned Ph.D. candidates (Ex.904-B) was prepared and issued on 14.6.2005 and its copies were circulated on 15th or 16th June 2005. However, none of the officers concerned viz. Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, Shri A.S. Katre, Assistant Registrar (Exam. Section), and Shri P.T. Muley, ASO (Exam. Section), is telling the truth about it in this enquiry. In fact, all the above three concerned officers stated in their respective affidavits that Ku. Swati G. Bharad had not approached them for making enquiry about her Result and that they had not handed over the copy of the Result Notification for declaration of Result (Ex.864) to her on that day i.e.13.6.2005, vide para 12 of the affidavit of Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar dated 11.6.2009 (Ex.943), para 8 of the affidavit dated 7.4.2009 (Ex.907) of Shri A.S. Katre, Assistant Registrar (Exam. Section) and para 9 of the affidavit of Shri P.T. Muley, ASO (Exam. Section) dated 20.4.2009 (Ex.914). As stated by them therein as per the University rules and practice, copy of the Result Notification for declaration of Result is not given to any student and, after declaration of Result if he / she wants to know the result, he/she is required to apply for getting Provisional Degree Certificate (PDC), transcript etc. as provided in para 33 of Regulation AC/8 (Ex.32).

1780) If the copy of the Result Notification for declaration of Result is not given to any student as per the University rules and practice, it is surprising how Ku. Swati G. Bharad received the copy of the Result notification for declaration of Result particularly when all the aforesaid three concerned officers of the University denied that they had given it to her. Although Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar stated that the Result Notification for declaration of her Result was signed by him on 13.6.2005, he is not forthright in stating that he or under his orders the copy of the Result Notification for declaration of Result (Ex. 864) was given to her on that day i.e. 13.6.2005 as her interview was fixed on that date itself. On the other hand, he stated in para 12 of his affidavit dated 11.6.2009 (Ex.943) that she had not come to him on that day. In other words, it would mean that the copy of the Result Notification for declaration of her result was given to her surreptitiously since, as per rules and practice in the University, it is not given to any student and, as shown above in paras 1772 and 1773 of the Enquiry Report, the Result Notification for declaration of Result of Ph.D. candidates Ku. Swati G. Bharad, and Shri A.D.Warade (Ex.904-B) was officially i.e. as per the practice and procedure followed in the University, prepared and issued on 14.6.2005.

1781) It is further necessary to see that the result of any examination can not be said to be declared merely when the competent authority authorized to declare the Result signs the Result Notification but it can be said to be declared only when it is notified/published thereafter in the prescribed manner. As regards the declaration of Result of P.G., Ph.D. examinations, as per the practice and procedure followed in the University after the signature of the Deputy Registrar (Academic)/Registrar upon the Result Notification for declaration of Result, the copies thereof are forwarded to the offices/officers as mentioned on their back-side and to the concerned tables in the Examination Section and are notified upon the Notice Board in the Examination Section or the college concerned. In this regard, Shri P. T. Muley, A.S.O. (Exam. Section) stated in para 14 of his affidavit dated 20.04.2009 (Ex. 914) that the candidates whose results are to be declared can not know their result unless the Result Notification prepared for declaration of their Result is issued by the Deputy Registrar (Academic)/Registrar and the copies thereof are forwarded to the officers/offices etc. as stated by him in paras 12 and 13 of his aforesaid affidavit. Therefore, according to him, the candidates Ku. Swati G. Bharad, and Shri A. D. Warade could not have known their result on 13.06.2005 but could know it only when the copies of the Result Notification for declaration of their Result (Ex. 904-B) actually signed by the Registrar on 14.6.2005 were circulated on 15th or 16th June, 2005, as stated by him in paras 12 and 13 of his aforesaid affidavit. If Ku. Swati G. Bharad received the copy of the Result Notification for declaration of her Result (Ex. 864) on 13.06.2005, although as per University rules and practice it is not given to any student, it means that an exception was

made in her case and the said copy (Ex. 864) was handed over to her surreptitiously contrary to the practice and procedure followed in the University.

a-9) Confusion about putting the dates upon the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) and the Result Notifications for declaration of Result (Exs. 904B, 917 and 919) contained in the files (Exs. 904, 931 and 932)

1782) As regards the date put upon the Result Notification for declaration of Result of the above Ph.D. candidates Ku. Swati G. Bharad and Shri Atul D. Warade (Ex. 904-B) the printed date upon it was corrected as 13.6.2005 because according to Dr.Vandan Mohod, Deputy Registrar (Academic)/ Registrar, as stated by him in para 13 read with para 12 of his affidavit dated 11.6.2009 (Ex.943), it was signed and issued by him on that date i.e. 13.6.2005. He admitted in the said para 13 that if the said Result Notification for declaration of Result (Ex.904-B) was prepared and signed by him on 13.6.2005, there was no reason to put the wrong printed date upon it but it appeared to him that the said Result Notification (Ex.904-B) might have been prepared earlier presumably on 9.6.2005 and the said date 9.6.2005 might have been put upon it which was corrected as it was signed and issued by him on 13.6.2005. In appreciating his above statement, it must be seen that his office very well knew that neither he nor the Registrar, were available on 09.06.2005 to sign the Result Notification for declaration of Result (Ex-904-B) as they were on tour and in fact they were not available before 13.6.2005 as admitted by him in para 16 of his aforesaid affidavit. Therefore, if the Result Notification for declaration of Result (Ex.904-B) was to bear the date on which it was signed and issued by the Registrar, the date 9.6.2005 would not have been put upon it and if at all, the date put upon it would have been 13.6.2005. If the date put upon it was 9.6.2005 it would mean that according to the concerned clerk it bears the date on which the Vice-Chancellor signed its Manuscript.

1783) Perusal of the Result Notifications prepared for declaration of Result contained in the above files (Exs. 904, 931 and 932), many of which are signed and issued by Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar himself, would show that, even according to him, the Result Notifications for declaration of Result bear the same date as on their Manuscripts although they might have been signed and actually issued by him later on, vide para 1764 of the Enquiry Report. The concerned ASO, Shri P.T. Muley, and the Assistant Registrar, Shri A.S.Katre, in the Examination Section, who are very experienced officers in the University also stated in paras 4 and 2 of their respective affidavits dated 20.4.2009 (Ex.914) and 12.6.2009 (Ex.944) that the Result Notification for declaration of Result bears the same date as on its Manuscript i.e. the date on which the Vice-Chancellor signed it. If this was the

practice followed in the University and by him also viz. that the Result Notification for declaration of Result bears the same date as on its Manuscript, the doubt which arises in the mind is why in the instant case he should take the stand that it bears the date on which it is signed and issued by Deputy Registrar (academic)/ Registrar and also why the earlier date printed upon it, which, according to him, was 9.6.2005 was corrected as 13.06.2005 when the said date 9.6.2005 if put, was rightly put upon it as it was treated as the date on which the Vice-Chancellor signed its Manuscript since it was actually signed by him in the evening hours on 8.6.2005 i.e. after office hours.

1784) In this regard, it is pertinent to see that perusal of the files (Exs. 904, 931 and 932) would show that to Dr. Vandan Mohod's own knowledge, upon all the Result Notifications prepared for declaration of Result, the date put is as on its Manuscripts and is a printed date except few in which the date put is in ink but what is important to be seen is that there are no corrections made in the printed date or the date in ink which would show that there was no doubt, in the mind of any of the concerned officers including Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar that it would bear the date as on its Manuscript i.e. the date on which the Vice-Chancellor had signed it. As the date would be first put by the ASO concerned in his own handwriting upon the Manuscript of the Result Notification signed by the Vice-Chancellor after the file containing it was received back in the Examination Section whereafter the Result Notification for declaration of Result would be prepared and issued there was no possibility of any mistake being made in putting the date upon the Result Notification for declaration of result needing any correction as it would bear the same date which is put on its Manuscript. The very fact that there is correction made in the printed date upon the Result Notification for declaration of Result of the above Ph.D. candidates (Ex.904-B) would show that there is something fishy about it.

1785) There is also something fishy and unreal about the date put upon the Manuscript of the Result Notification of the above candidates (Ex. 904-A). In this regard, all the three concerned officers of the University viz. Shri P. T. Muley, A.S.O. and Shri A.S.Katre, Assistant Registrar in the Examination Section and Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar, in paras 4, 2, and 8 of their respective affidavits dated 20.04.2009 (Ex. 914), 12.06.2009 (Ex. 944) and 11.6.2009 (Ex.943) stated that the Manuscript of the Result Notification always bears the date on which the Vice-Chancellor had signed it in token of its approval. Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar also stated in the said para 8 of his aforesaid affidavit that the said date is ordinarily written in ink because it is only after the file containing the Manuscript of the Result Notification signed by the Vice-Chancellor comes back to the ASO concerned that he knows the date on which he had signed it in token of its approval.

Although he further stated that the date 13.6.2005 written in ink upon the aforesaid Manuscript of the Result Notification (Ex.904-A) by the ASO concerned was correct, perusal of para 11 of his aforesaid affidavit would show that even according to him, the said date put upon the Manuscript of the Result Notification (Ex.904-A) would not be correct since on enquiry being made by him from the Vice-Chancellor or his P.A., the Vice-Chancellor had signed the Manuscript of the said Result Notification (Ex.904-A) in the evening hours on 8.6.2005 which even according to him, would mean that the said Manuscript of the Result Notification (Ex.904-A) would bear the said date 8.6.2005, or at any rate 9.6.2005 as it was signed in the evening hours on 8.6.2005 i.e. after the office hours.

1786) Regarding the date 13.6.2005 put upon the Manuscript of the Result Notification (Ex.904-A), the ASO (Exam. Section), Shri P.T. Muley, stated in para 7 of his affidavit dated 20.4.2009 (Ex.914), that he put the said date upon the said Manuscript (Ex. 904-A), since on enquiry made by him, he learnt that the Vice-Chancellor signed it (Ex.904-A) on 13.6.205 in token of its approval although in para 4 of his subsequent affidavit dated 30.4.2009 (Ex.939), he stated that he put the said date 13.6.2005 as told to him by Shri A.S. Katre, Assistant Registrar (Exam. Section) and that he did not make any enquiry about it. Shri A.S. Katre, Assistant Registrar (Exam. Section) however, denied it. He stated that it is Shri P.T. Muley, who makes such enquiry about the date on which the Vice-Chancellor signed the Manuscript of the Result Notification because it is he who has to put the said date upon it, and accordingly since he had put the said date 13.6.2005 upon the Manuscript of the Result Notification of the above Ph.D. candidates (Ex.904-A), he took it as the date on which the Vice-Chancellor had signed it and therefore, corrected the printed date 14.6.2005 put upon the Result Notification prepared for declaration of Result (Ex.904-B) by writing digit “3” in place of “4” in the said date so that it read as 13.6.2005 as it had to bear the same date as on its Manuscript (Ex.904-A).

1787) It is thus clear that the Manuscript of the Result Notification (Ex.904-A) should have borne the date 8.6.2005 or 9.6.2005 as it was signed by the Vice-Chancellor in the evening hours on 8.6.2005. However, it bears the date 13.6.2005. Even in the Manuscript of the Result Notification for declaration of Result of the M.Tech (Agril.Engg.) candidate (Ex.916) contained in the file (Ex.931) the corrected date is 13.6.2005 which although according to Shri P.T. Muley, ASO (Exam. Section) was 14.06.2005 as originally put by him, it was corrected by him as 13.6.2005 at the instance of the Assistant Registrar (Exam.Section) Shri A.S. Katre who however, stated that the original date put upon it (Ex.916) was also 13.6.2005 and there was overwriting in writing the digit “3” in the said date “13” therein. It is only upon the Manuscript of the Result Notification prepared for M.Sc. (Agri.) candidates (Ex.918) contained in the file

(Ex.932) that Shri P.T. Muley, ASO (Exam. Section), had put the date 9.6.2005 although he stated in para 3 of his affidavit dated 30.4.2009 (Ex.939) that he put it at the instance of the Assistant Registrar (Exam. Section) Shri A.S. Katre.

1788) It is necessary to see that the file (Ex.904) containing the Manuscript of the Result Notification of Ku.Swati G. Bharad and Shri Atul D. Warade (Ex.904-A) signed by the Vice-Chancellor was not received in the Examination Section on 13.6.2005. In this regard, it appears from para 1 of the affidavit of Dr.V.D. Patil, Dean (PGS) dated 24.6.2009 (Ex.946) that on their return journey the files (Exs. 904, 931 and 932) were received by his office on 9.6.2005 from the office of the Vice-Chancellor but since he was on tour to Parbhani from 8.6.2005 to 12.6.2005 and therefore since he could not have put his signatures therein before 13.6.2005, they remained pending in his office. As already stated, they were brought from the office of Dean (PGS) in the office of the Deputy Registrar (academic) by its Peon on 14.6.2005.

1789) There can not thus be any doubt that Shri P.T. Muley, ASO (Exam. Section), put the date in ink in his own handwriting upon the Manuscripts of the Result Notifications of the above-referred candidates (Exs. 904-A, 916 and 918) contained in their respective files (Exs. 904, 931 and 932) only after the said files (Exs. 904, 931 and 932) came back to him on 14.6.2009. Since there was no date put by the Vice-Chancellor below his signatures on the office note as well as the said Manuscripts (Exs. 904-A, 916 and 918), he did not know the date on which the Vice-Chancellor signed the said Manuscripts (Exs. 904-A, 916 and 918). Therefore, before putting the date/s upon the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) of the above-referred candidates contained in their files (Exs. 904, 931 and 932), the above three concerned officers or any of them or, in particular, Shri P.T. Muley, ASO (Exam.Section) must have made enquiry from the office of the Vice-Chancellor as to the date/s on which he signed the said Manuscripts (Exs. 904-A, 916 and 918). Infact, as stated by Dr. Vandan Mohod, Deputy Registrar (academic)/Registrar in para 11 of his affidavit dated 11.06.2009 (Ex. 943), by making enquiry on his mobile phone, he had learnt that the Vice Chancellor signed the said Manuscripts (Exs. 904-A, 916, and 918) in the evening hours on 08.06.2005 and that he had informed the concerned officers in the Examination Section about it. They would therefore, know that he signed the said Manuscript in the evening hours on 8.6.2005. If they knew it, the question is why they put the date 13.6.2005 upon the Manuscripts of the Result Notifications (Exs. 904-A, and 916) and the said date 9.6.2005 only upon the Manuscript of the Result Notification (Ex.918). As already seen the aforesaid two concerned officers Shri P.T. Muley, and Shri A.S. Katre, have tried to avoid the said question i.e. as to who made the enquiry about the date on which the Vice-Chancellor signed the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) and how the date 13.6.2005 was put upon

the Manuscripts (Ex. 904-A and 916) and the date 9.6.2005 upon the Manuscript (Ex.918) by trying to shift the responsibility upon each other.

1790) The question which then needs consideration is why the printed date upon the Result Notification for declaration of Result of the Ph.D. candidates Ku. Swati G. Bharad and Shri A. D. Warade (Ex. 904-B) and the copy of the Result Notification supplied to the former (Ex. 864) is changed as 13.06.2005 in his own hand-writing by Shri A. S. Katre, Assistant Registrar, (Exam. Section). He stated in para 3 of his affidavit dated 12.06.2009 (Ex. 944) that since Shri P. T. Muley, A.S.O. (Exam. Section) had put the date 13.06.2005 upon the Manuscript of the said Result Notification (Ex. 904-A), he had put the said date 13.06.2005 upon the Result Notification for declaration of Result (Ex. 904-B) by correcting the date 14.06.2005 printed upon it. Dr. Vandan Mohod, Deputy Registrar (Academic)/Registrar however, stated in para 13 of his affidavit dated 11.6.2009 (Ex.943) that the said Result Notification (Ex. 904-B) might have been prepared earlier on 09.06.2005 and the printed date put upon the said Result Notification for declaration of Result (Ex. 904 B) might have been 9.6.2005, but as it was signed and issued by him on 13.6.2005, the said date was corrected as 13.6.2005.

1791) Perusal of the said corrected date 13.06.2005 with the magnifying glass shows that there was white ink put upon the printed date upon the original copy of the printout of the said Result Notification for declaration of Result (Ex. 904-B) at page 69/C of the file (Ex.904) and as regards the xerox copies including the copy supplied to Ku. Swati G. Bharad (Ex. 864) the printed date upon them appears to have been rubbed off perhaps with blade so that the original printed date should not be seen and then in its place the date "13" is written in ink in the hand-writing of Shri A. S. Katre, Assistant Registrar (Exam. Section). In all probabilities, however, it appears that the printed date put upon the said Result Notification for declaration of Result (Ex. 904-B) cannot be 14.06.2005 i.e. the date on which it was prepared but must be 09.06.2005 because the concerned officers in the Examination Section very well knew that it bears the date as on its Manuscript and as shown hereinbefore the said date 9.6.2005 was treated as the date on which the Vice Chancellor signed its Manuscript (Ex. 904-A) contained it the file (Ex. 904) since he signed it actually in the evening hours on 08.06.2005 at his residence office.

1792) It is pertinent to see that as stated in paras 4 and 2 of their respective affidavits dated 20.04.2009 (Ex. 914) and 12.06.2009 (Ex. 944) by Shri P. T. Muley, A.S.O. and Shri A. S. Katre, Assistant Registrar in the Examination Section who have long experience of this work, the Result Notification for declaration of Result bears the same date as on its Manuscript i.e. the date on which the Vice Chancellor signed it. In other words, both bear the same date.

Although Dr. Vandan Mohod, Deputy Registrar (Academic)/Registrar took the stand in this enquiry that as stated by him in para 9 of his affidavit dated 11.06.2009 (Ex. 943), the Result Notification for declaration of Result bears the date on which it is issued by the Registrar, the above stand taken by him is belied by his own actions as all the Result Notifications for declaration of Result without exception actually signed and issued by him, as seen from the files (Ex.904, 931 and 932), would show that they bear the same date as on their Manuscripts although they were signed and issued by him later on as shown hereinbefore in the topic a-6 relating to the date which the Result Notification for declaration of result should bear and particularly in para 1764 thereof. It appears that he took the above stand in this Enquiry with an ulterior motive to cover up the action of handing over surreptitiously the copy of the Result Notification for declaration of Result (Ex.864) to Ku. Swati G. Bharad on 13.6.2005 on which day her interview was fixed so as to enable her to enhance her merit by getting 10 marks for acquiring Ph.D. degree. It may be seen that on 13.06.2005, the file (Ex. 904) containing the Manuscript of the said Result Notification (Ex. 904-A) signed by the Vice Chancellor had not come back in the Examination Section and therefore as per practice and procedure in the University the Result Notification for declaration of the her result could not have been prepared on that day.

1793) In appreciating the above question it must be seen that, as held in the above referred topic a-6 vide the conclusion in para 1767 thereof, according to the practice and procedure followed in the University, and by Dr. Vandan Mohod, Deputy Registrar (Academic)/Registrar himself, the Result Notification for declaration of Result is prepared and issued after the file containing its Manuscript signed by the Vice-Chancellor comes back to the ASO (Exam. Section) who first puts upon the said Manuscript the same date on which the Vice Chancellor signed it and then writes an office note and forwards it with the Result Notification for declaration of Result for being signed and issued by the Deputy Registrar (academic)/Registrar. The said Result Notification for declaration of Result ordinarily bears a printed date and in very few cases the date in ink as seen in the files relating to Result Notifications (Exs. 904, 931 and 932) but it does not show any corrections being made therein because the said date is certain as it bears the same date as on its Manuscript upon which as stated above, after the receipt of the file containing it, the date is first put in ink by the ASO concerned.

1794) The reason why there is confusion in putting the dates upon the Manuscripts of the Result Notifications of the concerned candidates (Exs. 904-A, 916 and 918) and the Result Notifications for declaration of their Result (Exs. 904B, 917 and 919) contained in their files (Exs. 904, 931 and 932) is that although as per the usual practice and procedure followed in the University the printed date upon the Result Notification for declaration of Result of the above

Ph.D. candidates Ku. Swati G. Bharad and Shri A.D. Warade must have been 9.6.2005 i.e. the date which is treated as the date on which the Vice-Chancellor signed its Manuscript, the said printed date was corrected in ink as 13.6.2005 by Shri A.S. Katre, Assistant Registrar (Exam. Section) which could only be at the instance of Dr. Vandan Mohod, Deputy Registrar (academic)/ Registrar who has alone taken the stand in this Enquiry that it bears the date on which it is issued by the Registrar. Which stand is false to his own knowledge as shown hereinbefore.

1795) Since the printed date upon the Result Notification for declaration of Result of the above Ph.D. candidates copy (Ex.864) of which was supplied to Ku. Swati G. Bharad was corrected as 13.6.2005 there appears to be some problem before Shri P.T. Muley, the ASO concerned in the Examination Section about the date/s, whether 9.6.2005 or 13.6.2005, to be put upon the Manuscripts of the Result Notifications of the candidates concerned therein (Exs.904-A, 916 and 918) and the Result Notifications for declaration of their Result (Exs. 904-B, 917 and 918) contained in their files (Exs. 904, 931 and 932) which were sent on 7.6.2005 to the office of the Vice-Chancellor from the Registrar's office under common confidential cover for his signatures upon the said Manuscripts (Exs. 904-A, 916 and 918) and were received back in the Examination Section in common confidential cover on 14.6.2005 after his signatures upon them. It may be seen that the said files (Exs. 904, 931 and 932) were treated similarly in the sense that they were sent to the Vice-Chancellor for his signatures upon the said Manuscripts of their Result Notifications (Ex.904-A, 916 and 918) under the office notes dated the same i.e. 6.6.2005 recorded therein and the said Manuscripts (Exs. 904-A, 916 and 919) were signed by him on the same day i.e. in the evening hours on 8.6.2005 at his residence office because of which it appears that his signatures thereon were treated as being put on the next date i.e. 09.06.2005.

1796) According to all the concerned officers of the Examination Section, viz. Dr.Vandan Mohod, Deputy Registrar (academic)/ Registrar, Shri A.S. Katre, Assistant Registrar (Exam. Section) and Shri P.T. Muley, ASO (Exam. Section), the date which the Manuscript of the Result Notification bears is the date on which the Vice-Chancellor signed it and therefore all the above three Manuscripts (Exs. 904-A, 916 and 918) which were signed in the evening hours on 8.6.2005 should have borne the date 9.6.2005 as they appeared to have been treated as signed by him on that date. Further, since, according to the concerned officers Shri P.T. Muley, ASO, and Shri A.S. Katre, Assistant Registrar in the Examination section, who do the work of putting the dates upon the Manuscript of the Result Notification and the Result Notification prepared for declaration of Result respectively, the Result Notification for declaration of result bears the same date i.e. the date on which the Vice-Chancellor had signed the Manuscript, the

Result Notifications for declaration of result of the above concerned candidates (Exs. 904-B, 917, and 919) should have also borne the same date i.e. 09.06.2005.

1797) But, as the corrected date put upon the Result Notification for declaration of Result of the above Ph.D. candidates (Ex.904-B) was 13.6.2005, and since it had to bear the same date as on its Manuscript (Ex.904-A) signed by the Vice-Chancellor in token of its approval contained in its file (Ex.904) it appeared that Shri P.T. Muley, ASO (Exam. Section), put the same date 13.6.2005 in his own handwriting upon the Manuscript of the Result Notification of the above Ph.D. candidates (Ex.904-A) after its file (Ex. 904) was received back by him in the Examination Section on 14.06.2005. So as to show that the Manuscript of the said Result Notification (Ex.904-A) was signed by Vice Chancellor on 13.6.2005 although as already held above he was aware that the said Manuscript (Ex. 904-A) was signed by him in the evening hours on 8.6.2005 and therefore the date of his signature upon it was to be treated as 9.6.2005. It, however, appears that he was in two minds and therefore after some overwriting as stated by Shri A. S. Katre, Assistant Registrar (Exam. Section) in para 4 of his affidavit dated 12.06.2009(Ex. 944), he put in his own hand-writing the date 13.6.2005 upon the Manuscript of the Result Notification of the M.Tech. (Agril. Engg.) candidate (Ex.916) contained in the file (Ex.931) although he falsely stated in para 2 of his affidavit dated 30.04.2009 (Ex. 939) that he had initially put the date 14.06.2005 upon the said Manuscript (Ex. 916) which he corrected as 13.06.2005 at the instance of the Assistant Registrar (Exam. Section), Shri A. S. Katre. In this regard, it is necessary to see that admittedly he puts upon the Manuscript of the Result Notification the date on which the Vice Chancellor signed it and not the date on which the file containing it comes back to him after the signature of the Vice Chancellor upon it. However, as regards the Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) contained in the file (Ex.932), he rightly put the date 9.6.2005 which would show that he knew that the Vice Chancellor signed the said Manuscripts (Exs. 904-A, 916 and 918) in the evening hours on 08.06.2005 for which reason he treated the said date 09.06.2005 as the date on which the Vice-Chancellor signed the said Manuscript (Ex. 918).

1798) As regards the date 13.6.2005 put by him upon the Manuscript of the Result Notification of the above Ph.D. candidates, (Ex. 904-A) initially i.e. before the information regarding the actual date on which the Vice-Chancellor signed the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918) contained in the files (Exs. 904, 931 and 932) came on record in this Enquiry through the relevant documents and the affidavits of the employees/officers concerned, Shri P.T. Muley, ASO (Exam. Section) sought to create false impression in this Enquiry that the Vice-Chancellor signed the Manuscript of the Result Notification of the

above Ph.D. candidates (Ex.904-A) in token of its approval on 13.6.2005 so as to show that the said Manuscript (Ex.904-A) and the Result Notification for declaration of Result (Ex.904-B) bear the same date, vide paras 7, 11 and 14 of his affidavit dated 20.4.2009 (Ex.914) although he very well knew at that time that the Vice Chancellor signed the said Manuscript (Ex. 904-A) in the evening hours on 08.06.2005 as it was his duty to put that date upon the said Manuscript (Ex. 904-A).

1799) However, after the said information came on record and it was clear in this enquiry that the Vice-Chancellor signed the Manuscripts of the above Result Notifications (Exs. 904-A, 916 and 918) in the evening hours on 8.6.2005, he tried to avoid his responsibility and stated in paras 2, 3 and 4 of his subsequent affidavit dated 30.4.2009 (Ex.939) that he put the date 13.6.2005 upon the said Manuscripts (Exs.904, 916 and 918) as told to him by Shri A.S. Katre, Assistant Registrar (Exam. Section) and he did not make any enquiry about it. On the other hand. Shri A.S.Katre, Assistant Registrar (Exam. Section), who also tried to avoid his responsibility stated in paras 3 to 5 of his affidavit dated 12.6.2009 (Ex.944) that he did not make any enquiry about the date on which the Vice-Chancellor had signed the Manuscripts of the aforesaid Result Notifications (Exs. 904-A, 916 and 918) and it was Shri P.T. Muley, whose duty it was to put date/s upon the said Manuscripts (Exs. 904-A, 916, and 918) being dealing clerk, who must have made the enquiry about the same. According to him, since Shri P.T. Muley, ASO (Exam. Section) had put the date 13.6.2005 in ink in his own handwriting upon the Manuscript of the Result Notification of the Ph.D. candidates (Ex. 904-A), he took it as the date on which the Vice-Chancellor had signed the said Manuscripts and therefore corrected the printed date upon the Result Notifications prepared for declaration of Result (Exs.904-B, 917 and 919) as 13.6.2005.

1800) Shri A.S. Katre, Assistant Registrar (Exam. Section), however, stated in paras 2 to 5 of his affidavit dated 12.6.2005 (Ex.944) that the printed date upon the said Result Notifications for declaration of Result (Exs.904-B, 917 and 919) was 14.6.2005 as they were prepared according to him after the files (Exs. 904, 931 and 932) containing their Manuscripts were received in their office on 14.6.2005 which cannot be true because, even according to him, although the file containing the Manuscript signed by the Vice-Chancellor is received sometime afterwards, i.e. 14.6.2005 in this case, the date upon the Result Notification for declaration of Result put by him is the same earlier date which is on its Manuscript. As stated by him in para 2 of his aforesaid affidavit, the dates upon the Manuscripts of the Result Notifications and also the Result Notifications prepared for declaration of Result (Exs. 904-B, 917 and 919) contained in the said files (Exs. 904, 931 and 932) were actually written upon

them on 14.6.2005. He is corroborated in this regard by Shri P.T. Muley, ASO (Exam.Section), vide paras 2 to 4 of his affidavit dated 30.4.2009 (Ex.939).

1801) It may be seen that although the date put in ink by Shri P.T. Muley, upon the Manuscript of the Result Notification of M.Sc. (Agri.) candidates (Ex.918) contained in the file (Ex.932) was 9.6.2005 i.e. the date treated as the date on which the Vice-Chancellor signed it, Shri A.S.Katre, the Assistant Registrar (Exam.Section) who must also be aware of the same still put the date 13.6.2005 upon the Result Notification prepared for declaration of their Result (Ex.919) for which the explanation given by him in para 6 of his aforesaid affidavit dated 12.6.2009 (Ex.944) is that he did not see the said Manuscript (Ex.918) but had before him the Manuscripts of the other Result Notifications (Exs. 904-A, 916) and therefore the date put by him upon the said Result Notification for declaration of Result of M.Sc. (Agri.) candidates (Ex.919) was 13.6.2005. He also appears to be confused because he had originally put the date 9.6.2005 upon the office note about the Result Notification prepared for declaration of Result of M.Tech. (Agril.Engg.) candidate (Ex.917) recorded in its file (Ex.931) when it came back in the Examination Section on 14.06.2005 after the signature of the Vice Chancellor upon its Manuscript (Ex. 918) in the evening hours on 08.06.2005. He, therefore, rightly corrected it thereafter as 14.6.2005. When questioned, he stated that he did not remember now on what basis he put the date 9.6.2005 below his signature upon the aforesaid office note, vide para 7 of his aforesaid affidavit dated 12.6.2009 (Ex.944). One thing is however, clear from the above confusion about putting the dates upon the Manuscripts of the Result Notifications (Exs. 904-A, 916 and 918 and the Result Notifications for declaration of Result (Exs. 904-B, 917 and 919) that Shri P.T. Muley, ASO (Exam.Section) and Shri A.S.Katre, Assistant Registrar (Exam.Section) very well knew that the Manuscripts of the above Result Notifications (Exs. 904-A, 916 and 918) contained in their files (Exs. 904, 931 and 932) were signed by the Vice-Chancellor in the evening hours on 8.6.2005 and the said files were sent to the office of the Dean (PGS) from the office of the Vice-Chancellor on the next day i.e. 9.6.2005.

1802) All the above facts and circumstances, regarding the confusion about the dates put upon the Manuscripts of the Result Notifications (Exs.904-A, 916 and 918) and the Result Notifications prepared for declaration of Result (Exs. 904-B, 917 and 919) arising because of the corrected date 13.6.2005 put upon the Result Notification for declaration of Result of the above Ph.D. candidates (Ex.904-B) would clearly show that the copy of the Result Notification for declaration of her Result (Ex.864) which, according to the University rules and practice, is not given to any student, was illegally handed over to Ku. Swati G. Bharad in surreptitious manner without waiting for her file (Ex.904) to come back in the Examination section after the signature of the Vice-Chancellor upon the Manuscript of her Result Notification (Ex.904-A) in

token of its approval and without putting upon it the date on which the Vice-Chancellor signed it, as the same date is to be put upon the Result Notification prepared thereafter for declaration of Result (Ex. 904-B). It is pertinent to see in this regard that as per the usual practice and procedure followed in the University the candidates concerned viz., Ku. Swati G. Bharad and Shri A. D. Warade could know their Result only when the copies of the Result Notification for declaration of Result (Ex. 904-B) were forwarded to the officers/offices as shown on their back side and to the tables concerned in the Examination Section on 15 the or 16 June, 2005 as stated by Shri P.T. Muley, ASO (Exam. Section) in para 14 read with paras 12 and 13 of his affidavit dated 20.4.2009 (Ex.914).

b) Pravin V. Patil, son of Dr. V. D. Patil, the Chairman of the Selection Committee.

1803) Vide paras 1264 to 1266 of the Enquiry Report, the criteria for academic evaluation of SRA/JRA including the criteria of awarding 8 marks for thesis submission was laid down by Dr.V.D. Patil, the Chairman of the Selection Committee, in association with Dr.E.R. Patil, Associate Dean (PGI) and the then Registrar, Shri R.B.Bali and as regards the marking system of awarding marks for Ph.D. degree acquired, thesis submitted, research papers/popular articles published and/or significant contribution made after the last date of application i.e. 15.09.2004, it was adopted by him alone keeping in view the interests of the high profile candidates including Shri Pravin Patil, his son. The criteria for academic evaluation of SRA/JRA and in particular the criteria of awarding 8 marks for thesis submission and the adoption of the said marking system is thus held to be vitiated by his bias.

1804) Pravin Patil, the son of Dr. V. D. Patil, the Chairman of the Selection Committee, is further benefited by more marks awarded to him by the team of the Assistant Professors who awarded him marks for thesis submitted by him after the last date of application i.e. 15.09.2004 and Research Paper/Popular articles published by him. It is clear from the chart (Ex. 38(O)) that Shri Pravin V. Patil, whose Sr. No. is 955 therein was awarded 10 marks meant for acquiring Ph.D. degree although at the time of his interview he had not acquired Ph.D. degree but had produced only his thesis for which he should have been awarded 8 marks only. Similarly, although he produced at the time of interview 4 Research Papers, 1 Technical Bulletin, and 1 Popular Article, for which he should have been awarded 8.4 marks as per the criteria, he was awarded 10 marks for the same. It is thus a clear case of favoured candidate who was illegally benefited by 3.6 more marks as shown above. His name was even recommended by the then Agriculture Minister Shri Balasaheb Thorat, vide serial no.14 in the list candidates selected in the posts of SRA (Agri.) and JRA (Agri.) whose names were recommended by the VIPs. including the Ministers, MLAs and MPs (Annexure-19 of the Enquiry Report).

c) **Ku. Bhavna R. Wankhede, selected in the post of SRA (Agri.) in S.C. category.**

1805) As observed in para 1759 of the Enquiry Report while considering the case of Ku. Swati G. Bharad, it was pointed out that the case of Ku. Bhavna R. Wankhede was an unique case in which the concerned officers of the University acted with great promptitude and speed. On 15.09.2004, which was the last date of submission of applications for the posts of SRA (Agri./JRA (Agri.) as per the advertisement dated 14.08.2004 (Ex.2), Verification of her marks, thesis etc. was done by the Chairman and Members of the Result Committee and on the same day, the Manuscript of her Result Notification signed by them was forwarded to Shri P.T. Muley, ASO (Exam.Section) as is clear from the office notes of the Section Assistant and the said ASO dated 15.9.2004, vide back side of page N/12 of the file Ex.904. The said ASO (Exam. Section) wrote the office note on the same day i.e. 15.9.2004 and forwarded it to the Deputy Registrar (academic) since the Assistant Registrar (Exam.Section) was on tour. The Deputy Registrar (academic), Dr.Vandan Mohod, signed it on the same day i.e. 15.9.2004 and the said file was forwarded on the same day to the Dean (PGS) since the Registrar was then on tour. He recommended on the same day i.e. 15.9.2004 to the Vice-Chancellor that the Manuscript of her Result Notification should be approved and the Vice-Chancellor also signed the said office note on the same day i.e. 15.9.2004 in token of its approval. The Manuscript of her Result Notification dated 15.9.2004 is at page 39/C of the said file (Ex.904) and the Result Notification for declaration of her Result dated 15.9.2004 is on its next page i.e. 41/C.

1806) It is pertinent to see that the said date 15.9.2004 was the last date for submission of applications for these posts of SRA (Agri.) and JRA (Agri.) as per the advertisement dated 14.8.2004 (Ex.2). The speed with which her file moved on the same day would show that it must have been taken by the concerned clerk to all the officers concerned for finalization and declaration of her Result, which would also show that she was a favoured candidate as her file was moved speedily on the same day so that she should get her Ph.D. degree before the time for submission of applications for the said posts was over.

1807) That she is a favoured candidates is also clear from the fact that, vide para 1350 of the Enquiry Report, it is pointed out therein that by overwriting in the consolidated alphabetical Mark-Sheet Ex. 112(O) as shown in the chart (Annexure-23 of the Enquiry Report), her interview and total marks were changed from 40 and 64.4 to 44 and 68.8 respectively in order to ensure her selection and give her higher place in the Selection list of SRA (Agri.) S.C. Category candidates although perhaps through mistake she was not shown the higher place in the said Selection List which she should have got on the basis of her 68.8 total marks.