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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10079/2018 & CM APPL. 39307/2018
BHAGAT PRASHANT HARIBHAUPetitioner
Through: Mr. Manav, Advocate.

versus

NATIONAL SEEDS CORPORATION LIMITED AND ORS.

.....Respondents

Through: Ms. Radhika Bishwajit Dubey, CGSC
with Ms. Gurleen Kaur Waraich and
Mr. Kritarth Upadhyay, Advocates
for R-3.
Mr. Yashvardhan, Ms. Smit Kant and
Mr. Gyanendra Shukla, Advocates for
R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **02.07.2026**

1. The Petitioner challenges the action of National Seeds Corporation Limited ["NSC"] in not permitting him to proceed further in the recruitment process for the post of Senior Trainee (Marketing) under Advertisement No. RECTT/1/18/NSC/2018. The controversy in the present petition concerns whether the qualification possessed by the Petitioner, namely B.Sc. (Agricultural Business Management), satisfied the eligibility criteria prescribed in the advertisement for the said post.

Factual Background

2. The Petitioner belongs to the Scheduled Caste ["SC"] category and is a person with hearing impairment. He holds a degree of B.Sc. (Agricultural Business Management) from Dr. Panjabrao Deshmukh Krishi Vidyapeeth, Akola, Maharashtra. He also holds an MBA (Agriculture) degree from



Vasantrao Naik Marathwada Agricultural University, Parbhani, Maharashtra.

3. On 14th April, 2018, NSC issued Advertisement No. RECTT/1/18/NSC/2018 inviting applications for various posts, including the post of Senior Trainee (Marketing). The post carried All India Service Liability. The essential educational qualification prescribed for the post was:

“B.Sc. (Agri.) plus MBA (Mktg./Agri. Business Management) full time or Two years Full time PG Degree/Diploma in Marketing/Agri. Business Management OR M.Sc. (Agri.) from a recognized University/Institutions with minimum 55% marks. Knowledge of Computer (MS Office) is mandatory.”

4. The advertisement notified 48 vacancies for the post of Senior Trainee (Marketing), including category-wise reservations. It also provided for horizontal reservation for persons with disabilities, including one post reserved for persons with hearing impairment.

5. The Petitioner submitted his online application. The online application form contained the qualification field in the terminology used in the advertisement, namely, “*B.Sc. (Agri.) plus MBA full time (Agri. Business Management)/02 years full time PG Degree/Diploma (Agri. Business Management)*”. The Petitioner appeared in the written examination held on 03rd June, 2018. His name was included in the notice dated 15th June, 2018 at Serial No. 48 in the category “*PH-HH/Cat-B (PD)-SC*”, and he was called for document verification and medical examination on 21st June, 2018.

6. During document verification, NSC found that the Petitioner possessed a degree in B.Sc. (Agricultural Business Management) and not a degree titled B.Sc. (Agri.). Taking the view that the Petitioner did not fulfil the educational qualification prescribed in the advertisement, NSC did not



permit him to proceed further in the recruitment process for the post of Senior Trainee (Marketing).

7. Aggrieved thereby, the Petitioner has filed the present petition challenging the actions of NSC.

Petitioner's Contentions

8. In support of the petition, Mr. Manav, counsel for the Petitioner, makes the following submissions:

8.1. The Petitioner possesses the substantive academic training contemplated by the advertisement. B.Sc. (Agricultural Business Management) is not a foreign, unrelated, or inferior qualification, but an agricultural degree awarded by a recognised Agricultural University. Both the universities from which the Petitioner obtained his Bachelor's and Master's degrees are recognised universities.

8.2. The course structure of B.Sc. (Agricultural Business Management) substantially overlaps with that of B.Sc. (Agriculture). The Government of Maharashtra, by its Resolution dated 07th September, 2011, has recognised B.Sc. (Agricultural Business Management) as equivalent to B.Sc. (Agriculture). Such equivalence is also supported by certificates issued by the concerned Agricultural Universities. Accordingly, NSC ought not to have rejected the Petitioner's candidature merely on account of a difference in the nomenclature of the degree.

8.3. The Petitioner was orally informed that he did not possess the prescribed qualification and was not furnished any written communication setting out the reasons for the rejection of his candidature, despite his request. The Respondents adopted an arbitrary and unduly technical approach by rejecting the Petitioner's candidature solely on the basis of the



nomenclature of his degree, without examining whether he possessed an equivalent qualification in substance.

8.4. Reliance is placed upon the decision of the Supreme Court in *Sajid Khan v. L. Rahmathullah & Ors.*¹ to contend that recruitment conditions must receive a reasonable construction, and that an unduly technical view ought not to be taken where the substance of a candidate's qualification satisfies the requirement of the post.

Respondents' Contentions

9. Opposing the petition, Mr. Yashvardhan, counsel for Respondents No.1 & 2, submits as follows:

9.1. The Petitioner does not possess the qualification prescribed in the advertisement. The essential qualification notified for the post was B.Sc. (Agri.). The advertisement neither prescribed B.Sc. (Agri.) or an equivalent qualification nor recognised B.Sc. (Agricultural Business Management) as an eligible qualification. The recruitment was conducted by NSC, a Government of India undertaking, for a post carrying All India Service Liability and the eligibility conditions had to be applied uniformly to all candidates. The determination of the qualifications required for the post, including whether any qualification should be treated as equivalent, falls within the domain of the employer and cannot be undertaken by the Court.

9.2. The Petitioner was only provisionally shortlisted and his candidature remained subject to verification of documents. The notice calling candidates for document verification clarified that shortlisting would not confer any right to appointment. Upon verification, it was found that the Petitioner did not possess B.Sc. (Agri.), the qualification prescribed in the advertisement.



9.3. The Petitioner, in his online application, declared that he possessed the requisite qualification and certified that the particulars furnished by him were true and correct. However, during document verification, it transpired that he possessed a degree in B.Sc. (Agricultural Business Management) and not B.Sc. (Agri.). The Petitioner had, therefore, furnished incorrect particulars regarding his eligibility and was liable to be disqualified in accordance with the terms and conditions of the advertisement.

9.4. The Government Resolution dated 07th September, 2011 issued by the State of Maharashtra and the certificates issued by the universities from which the Petitioner obtained his degrees cannot govern an all-India recruitment undertaken by NSC. The university certificates are not issued by a central regulatory body such as the University Grants Commission and cannot override or supplement the eligibility criteria prescribed in the advertisement. Acceptance of State-specific equivalence would undermine the uniform application of the eligibility conditions.

9.5. Acceptance of the Petitioner's plea of equivalence after the issuance of the advertisement would amount to altering the eligibility criteria midstream. Such an approach would prejudice other candidates possessing similar qualifications who may not have applied because the advertisement did not recognise their qualifications as eligible. Reliance is placed on *State of Rajasthan & Ors. v. Lata Arun*², *Zonal Manager, Bank of India v. Aarya K. Babu*³, *Chief Manager, Punjab National Bank & Anr. v. Anit Kumar Das*⁴, *Oriental Insurance Co. Ltd. & Anr. v. Abhishek Yadav*⁵ and

¹ Civil Appeal No. 17308/2017.

² (2002) 6 SCC 252.

³ (2019) 8 SCC 587.

⁴ (2021) 12 SCC 80.



Pallavi v. Government of India⁶.

Analysis

10. The short question that arises for consideration is whether the Petitioner, who holds a degree in B.Sc. (Agricultural Business Management), can be treated as eligible for appointment to the post of Senior Trainee (Marketing), where the advertisement prescribed B.Sc. (Agri.) and did not contemplate or recognise any equivalent qualification.

11. There is no dispute that the Petitioner's degrees are genuine and were awarded by recognised Agricultural Universities. Nor is it disputed that he secured sufficient marks in the written examination to be called for document verification. This, however, do not conclude the matter. In public recruitment, merit assumes significance only after eligibility is established. A candidate may perform well in the examination, but if he does not satisfy the notified essential qualification, his merit cannot cure the defect.

12. The advertisement prescribed the educational qualification for the post of Senior Trainee (Marketing) in clear terms. It required B.Sc. (Agri.) plus MBA (Marketing/Agri. Business Management) full time or two years' full-time PG Degree/Diploma in Marketing/Agri. Business Management or, in the alternative, M.Sc. (Agri.). The Petitioner does not possess B.Sc. (Agri.). He possesses B.Sc. (Agricultural Business Management). The advertisement did not state that B.Sc. (Agri.) or any equivalent agricultural degree would suffice. Nor did it include B.Sc. (Agricultural Business Management) as an eligible qualification.

13. The Court cannot read the words '*or equivalent*' into the

⁵ 2015 SCC OnLine Del 7998.

⁶ 2016 SCC OnLine Bom 160.



advertisement when the employer chose not to include them. That would not amount to interpretation; it would be rewriting the advertisement's terms. A recruitment notice is the charter of the selection process. It informs prospective candidates across the country who are eligible to apply. If, after the selection process has commenced, the eligibility criteria are enlarged by accepting qualifications not contemplated in the advertisement, it would prejudice those candidates who, reading the advertisement as it stood, did not apply because their qualifications were not recognised.

14. The Petitioner's reliance upon the equivalence material cannot override this principle. Equivalence of qualifications cannot ordinarily be determined merely by comparing course titles or identifying overlapping subjects. Determination of equivalence involves an assessment of academic standards, course content, duration, practical exposure, institutional objectives, and the suitability of a qualification for the post in question. Such an assessment falls within the domain of the employer or the competent authority empowered to prescribe qualifications.

15. In *Lata Arun*, the Supreme Court held that the prescription of eligibility qualifications for admission to a course or for recruitment or promotion in service is a matter to be considered by the appropriate authority. It further held that it is not for the Courts to determine whether a particular educational qualification should or should not be accepted as equivalent to the qualification prescribed by the authority. The Court nevertheless clarified that such matters are not wholly beyond judicial scrutiny, but that exercise is confined to examining whether the policy decision or administrative action is fair, rational, reasonable, or otherwise suffers from recognised grounds of judicial review.



16. The Division Bench of this Court in *Oriental Insurance Co.* reiterated the aforesaid principle by holding that where the employer prescribes an essential educational qualification, unless its equivalence is also prescribed or recognised by the employer, it would be impermissible for the Court to hold that some other qualification is equivalent. The Division Bench further observed that permitting such an exercise would prejudice other candidates who, having read the advertisement as it stood and without questioning the issue of equivalence, did not apply, thereby depriving them of an equal opportunity to compete for public employment.

17. The Supreme Court in *Aarya K. Babu*, in the context of recruitment to the post of Agricultural Field Officer, reiterated the same principle. It held that it is not open to the Court to read into or assume, and thereby include, qualifications which have not been included in the recruitment notification. It further held that, once the eligibility qualification is specifically prescribed, neither can a candidate seek consideration on the basis of an unnotified or assumed equivalent qualification, nor can the employer change the eligibility requirements midstream during the ongoing selection process or accept qualifications other than those notified.

18. The decision of the Bombay High Court in *Pallavi* is also instructive. In that case, candidates possessing allied agricultural degrees relied upon the Government of Maharashtra Resolution dated 07th September, 2011 to contend that their qualifications were equivalent to B.Sc. (Agri.). Relying upon the principles governing public recruitment, the Court declined relief and observed that a claim based on equivalence could not succeed where such equivalence was not recognised in the applicable recruitment framework at the commencement of the recruitment process. It further



observed that acceptance of such a plea would prejudice similarly situated candidates who may have refrained from applying on the basis of the qualifications prescribed in the advertisement.

19. The Petitioner's case stands on no higher footing. NSC is a Government of India undertaking conducting an all-India recruitment. The advertisement neither recognised B.Sc. (Agricultural Business Management) as an eligible qualification nor incorporated the Government of Maharashtra Resolution dated 07th September, 2011. No recruitment rule, policy, or binding decision of NSC recognising such equivalence has been placed on record. Likewise, the certificates subsequently issued by the concerned Universities cannot alter or supplement the eligibility conditions prescribed in the advertisement.

20. The Petitioner's reliance upon *Sajid Khan* is misplaced. In that case, the appointing authority had, even prior to the recruitment process, sought and obtained a technical clarification regarding the equivalence of the qualification which was possessed by some of the selected candidates and, on that basis, accepted that qualification as satisfying the prescribed eligibility requirement for the post. It was in those circumstances that the Supreme Court held that it was not appropriate for the Courts to interfere with the appointments made after due consideration by the appointing authority. The said decision does not apply to the facts of the present case, where the advertisement itself prescribes a specific qualification and does not recognise any equivalent qualification.

21. The Petitioner has not demonstrated that NSC's insistence upon B.Sc. (Agri.) is arbitrary, *mala fide*, or contrary to any binding rule, policy, or decision governing the recruitment. The post in question is that of Senior



Trainee (Marketing) in NSC carrying All India Service Liability. NSC was entitled to prescribe the qualifications which it considered appropriate for the post. The Court cannot substitute its own view regarding academic suitability for that of the employer. Nor has it been shown that NSC accepted, in the present recruitment, any candidate possessing B.Sc. (Agricultural Business Management) in place of B.Sc. (Agri.). No case of hostile discrimination is, therefore, made out.

22. The fact that the Petitioner was called for document verification and medical examination also does not advance his case. Shortlisting after the written examination was expressly made subject to verification of documents. The notice dated 15th June, 2018 clearly indicated that shortlisting did not confer any right to appointment. A candidate who is provisionally shortlisted cannot claim appointment if, upon verification, he is found not to possess the prescribed essential qualification.

23. The Petitioner also complains that he was orally informed of his ineligibility and was not furnished a written communication recording the reasons for rejection. It would undoubtedly have been preferable for NSC to communicate its decision in writing. Public recruiting agencies should ordinarily record and communicate the precise reasons for rejecting a candidature after verification of documents. However, in the facts of the present case, remanding the matter merely for issuance of a written communication would serve no useful purpose. The basis of the Petitioner's rejection is clear, undisputed, and has been fully addressed before this Court.

24. NSC has also alleged that the Petitioner furnished incorrect particulars in his online application by describing his qualification in the terminology employed in the advertisement. Since the writ petition can be decided on the



question of eligibility itself, it is unnecessary to return any finding on that allegation. The Petitioner produced his actual degree certificates during document verification, and the controversy before this Court has proceeded on the legal question whether that qualification could be treated as equivalent to B.Sc. (Agri.). The rejection of the Petitioner's candidature is sustainable on the narrower ground that he did not possess the qualification prescribed in the advertisement.

25. The Petitioner's status as an SC candidate and as a person with hearing impairment has also been considered. Reservation, whether vertical or horizontal, does not dispense with the requirement of possessing the essential educational qualification unless the applicable rules or the advertisement expressly provide otherwise. The Petitioner was entitled to consideration under the reserved category only upon satisfying the prescribed eligibility criteria. Reservation cannot create eligibility where the essential qualification itself is absent.

26. There is a further reason why the relief sought cannot be granted. The recruitment in question was an all-India process. If equivalence recognised by different States or certified by different Universities is permitted to enlarge the notified eligibility conditions after the advertisement, the recruitment would cease to be governed by a uniform standard. Candidates from different States may then rely upon different equivalence regimes, resulting in the application of varying eligibility criteria to the same recruitment. Such a course may be permissible where the employer itself incorporates equivalence in the advertisement or otherwise recognises it under the governing recruitment framework. In the absence of any such recognition, the recruitment must proceed strictly in accordance with the



qualifications prescribed in the advertisement.

27. While the Court appreciates the Petitioner's circumstances, equitable considerations cannot override the eligibility criteria expressly notified in the advertisement. In matters of public employment, fairness is owed not only to the candidate before the Court but equally to those who chose not to apply because the advertisement did not recognise their qualifications. The discipline of public recruitment requires the Court to hold the employer to the criteria it notified, rather than reconstruct those criteria after the selection process has commenced.

Conclusion

28. For the aforesaid reasons, the Petitioner cannot be treated as eligible for appointment to the post of Senior Trainee (Marketing) on the basis of B.Sc. (Agricultural Business Management), when the advertisement prescribed B.Sc. (Agri.) and did not provide for any equivalent qualification.

29. The writ petition is accordingly dismissed. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

JULY 2, 2026/as