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APHC010093302015



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3327]**

THURSDAY, THE TWELFTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

**WRIT PETITION NO: 1292/2015**

**Between:**

1. DR.P.S.N. MURTHY, VISAKHAPATNAM, S/O LATE SURYA SUBRAHMANYAM, HINDU AGED ABOUT 69 YEARS, ADVOCATE ROLL NO. 2699/2001 R/O 6-16-2, CHAINULU'S ARCADE, NEAR SAIBABA TEMPLE, EAST POINT COLONY, CHINNA WALTAIR, P.O. VISAKHAPATNAM - 530017

**...PETITIONER**

**A N D**

1. SECY SCIENCE TECHNOLOGY DEPT NEW DELHI ANO, DEPARTMENT OF SCIENCE AND TECHNOLOGY TECHNOLOGY BHAVAN, NEW MEHRAULI ROAD, NEW DELHI-110 016  
2. THE HEAD SERC DIVISION, DEPARTMENT OF SCIENCE & TECHNOLOGY TECHNOLOGY BHAVAN NEW MEHRAULI ROAD NEW DELHI-110016

**...RESPONDENT(S):**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st Respondent in issuing letter No. HR/UR/17/2011 dated 12.04.2013 rejecting the Project submitted by the Petitioner as highly illegal, arbitrary and violative of

principles of natural justice and contrary to Utilisation of Scientific Expertise of Retired Scientists (Users) Scheme formulated by the 1st Respondent and issue consequential directions to the Respondents to grant aid/honorarium by accepting the Project entitled "Practice of Geological Resource Evaluation (Boreholes to Board Room) for Professional and Students" submitted by the Petitioner in the interests of justice and pass

**IA NO: 1 OF 2015(WPMP 1692 OF 2015)**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the Respondents to grant aid/honorarium by accepting the Project entitled "Practice of Geological Resource Evaluation (Boreholes to Board Room) for Professional and Students" submitted by the Petitioner under the Utilisation of Scientific Expertise of Retired Scientists (Users) Scheme in the interests of justice and pass

**IA NO: 1 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to allow the petitioner to file 6 additional Documents EX P 26 to 31 i.e., (1) Order dated 13-08-2013 from Dr. Inderjit Singh addressed to Dr. P.S.N. Murthy (2) Letter dated 25-10-2013 from Dr. R. Brakashpathy addressed to Dr. P.S.N. Murthy (3) 23-9-2013 Appeal of Dr. P.S.N. Murthy addressed to Dr. Inderjit Singh (4) 2010 DST Book Writing Format, (5) DST Guidelines and Format for submission of proposals, (6) Relevant pages from the Printed book in the interests of Justice, as otherwise the Petitioner will be put to irreparable loss and damage ,as such pass

**Counsel for the Petitioner:**

1.K SRINIVASA RAO

**Counsel for the Respondent(S):**

1.DEPUTY SOLICITOR GENERAL OF INDIA

2.O UDAYA KUMAR (CENTRAL GOVT COUNSEL)

**The Court made the following:**

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY****WRIT PETITION NO: 1292 OF 2015****ORDER**

Heard Sri K.Srinivasa Rao, learned counsel for the Writ Petitioner, the learned Deputy Solicitor General of India for respondent No.1 and Sri O.Udaya Kumar, learned Standing Counsel for Central Government representing respondent No.2.

2. The present Writ Petition is filed seeking to declare the action of 1<sup>st</sup> respondent in issuing Letter No.HR/UR/17/2011, dated 12.04.2013 rejecting the Project submitted by the Writ Petitioner, as illegal, arbitrary, violative of principles of natural justice and contrary to the Utilisation of Scientific Expertise of Retired Scientists Scheme (for brevity 'the USERS Scheme') formulated by 1<sup>st</sup> respondent, and consequently, direct the respondents to grant aid/honorarium by accepting the Project 'Practice of Geological Resource Evaluation (Boreholes to Board Room) for Professional and Students' submitted by the Writ Petitioner.

3. It is the case of the Writ Petitioner that the Writ Petitioner worked as General Manager (Investigation) and Geostatistics, National Mineral Development Corporation Limited (for brevity 'NMDC'). The Writ Petitioner holds Three (03) Doctorate

Degrees, in Geology (Andhra University), Geo-Statistics (Indian School Mines, Dhanbad) and Musicology (Science of Music) (Indira Kala Sangeet Viswavidyalay, Khairagarh), and got published 45 Articles in Geology, Exploration and Geo-statistics, 12 Articles in Law and 12 Articles on Musicology.

(b) One K.L.Rai, former Professor of Economic and Mining Geology, ISM Dhanbad, advised the Writ Petitioner to write a book under the USERS Scheme of the Department of Science and Technology (for brevity 'DST') on 'Practice of Resource Evaluation', which shall include (i) Classical, (ii) Statistical, and (iii) Geostatistical Methods, with relevant mathematical theory with Indian examples and solved problems in a self-taught method, useful for students, Research Scholars, University Teachers and Mining Professionals; that the Writ Petitioner submitted a proposal for book writing, 'Practice of Geological Resource Evaluation (Boreholes to Board Room)' under the USERS Scheme on DST on 10.06.2010; that as the Writ Petitioner was informed that his proposal could not be favourably recommended by the Experts, the Writ Petitioner submitted Revised Proposal through the Andhra University on 10.06.2011; that the Andhra University agreed to provide working space and library facilities to the Writ Petitioner

and that, the Capital Book Publishing Company, New Delhi agreed to publish the book after he finishes writing the manuscript.

(c) The Writ Petitioner sent an e-Mail and letters dated 06.08.2015 and 15.11.2015 to one S.S.Kohli, Head, SERC Division seeking status of his proposal and the Writ Petitioner also clarified to DST that he is ready to withdraw his proposal, if such book exists, but he did not receive any reply; that thereafter, *vide* Letter dated 12.04.2013, the DST informed the Writ Petitioner that his proposal to write a book was not favourably recommended by the Experts; that the Writ Petitioner sought information about the names and qualifications of the Experts and their comments from the Nodal CPIO under the Right to Information Act, 2005 (for brevity 'the RTI') *vide* letter dated 16.05.2013, but, they did not furnish full information, however, *vide* Letter dated 10.06.2013 the Writ Petitioner was informed that the Experts observed that many books are available on similar subject.

(d) The Writ Petitioner preferred appeal before the Appellate Authority on 02.07.2013 for failure to furnish the details of the Experts; that the Writ Petitioner *vide* Letter dated 02.07.2013 also sought information under the RTI Act about the name of the supposed books on Geology subject and the names of projects

approved by DST from 2010 to till now, but as nothing was heard from the DST, he made a representation to the then Minister of DST; that in reply to the representation dated 02.07.2013, the CPIO *vide* letter dated 14.08.2013 stated that the Writ Petitioner raised questions but did not seek information under the RTI Act. The Appellate Authority in its letter *vide* No.F-12015/145/2013-RTI dated 25.10.2013 observed that the DST does not have the information regarding the books which are supposed to be written on the subject. Further, the authority directed the CPIO to furnish the names of the Experts of the Management Advisory Committee (MAC) DST, New Delhi. Accordingly, the CPIO furnished the information and though the Experts are highly qualified in different fields, their observation that many books are available in the area and field books are available, falls outside their expertise.

(e) The proposed book presents (i) mathematics for understanding the methods, (ii) present examples, (iii) present solved problems and (iv) supplementary problems with answers. When the Writ Petitioner asked for the names of books available on the proposed subject, the Joint Secretary stated that no such list is available with DST, therefore, the two statements *i.e.*, observation for rejection of proposal and not having the list available with the

DST, are both contradictory; that the Members of the Expert Committee, who made recommendations either did not have specialized knowledge and experience or they were not properly briefed to appreciate and understand the Writ Petitioner's proposal; that the proposal of Writ Petitioner had been dealt with, in a casual manner and had not received serious attention as it deserves; that in case, the DST could furnish the name of one book on similar lines, the Writ Petitioner is ready to withdraw his proposal; that though the Writ Petitioner made representations on 19.08.2013 and 06.01.2015, nothing was heard from the Ministry so far. Hence, the Writ Petition.

4. Respondents filed counter-affidavit denying the contents of the affidavit accompanying Writ Petition, contending *inter alia* that the Writ Petition is not maintainable as the Writ Petitioner, instead of approaching a competent Civil Court, filed the present Writ Petition. In the Meetings held on 18.01.2011 and 08.08.2011 by the Expert Committee, constituted by the Department, it was resolved not to recommend the proposal submitted by the Writ Petitioner. The parameters that require effective consideration by the Expert Committee *viz.*, (i) credentials of PI, which include his academic qualifications, academic work

done which includes publications in 'peer review' journals (SCI Journals) and to see the activeness of the PI, (ii) last 5 years publications in the area. While evaluating the proposal, the relevant experience and publications in peer review impact factor journal is considered and more emphasis is given on last five years' publications in the relevant area of book writing, which the Writ Petitioner is lacking.

(b) That the SERB/DST requests to encourage all Scientists to submit proposals under various schemes of the Department and the USERS is one of them; that the respondent considered the representation of the Writ Petitioner forwarded by the Minister of the respondent Ministry and the Writ Petitioner was advised to get a well formulated proposal, but the same was not received from him as desired. The decision made in the Committee is collective decision of the Expert Committee; that the USERS Committee consists of Scientists having vast professional experience in the respective areas, including sub-areas in domain of expertise along with high level of maturity. Hence, it is prayed to dismiss the Writ Petition.

5. The Writ Petitioner filed reply-affidavit to the counter-affidavit, reiterating the contents of the Writ Petition affidavit.

6. Learned counsel for the Writ Petitioner would contend that the Writ Petitioner, who worked as General Manager (Investigation) and Geostatistics, National Mineral Development Corporation Limited (for brevity 'NMDC'), Hyderabad, being an Expert in the subjects of Geology and Geostatistics, his book, titling 'Practice of Geological Resource Evaluation (Boreholes to Board Room)' under the scheme of Utilization of Scientific Expertise of Retired Scientists', which falls under 'Applied Research' and 'New Technologies', was not recommended favourably by the Expert Committee on the ground that many books are available on the subject of which the Writ Petitioner proposed to publish his book. Learned counsel would further contend that there are individual books on the subjects *viz.*, Economic Geology, Structural Geology, Mining Geology, Geometry, Mathematics, Statistics, Geostatistics, Mine Planning, but there is no single book dealing with all the above subjects. It is his contention that even the Experts of the Management Advisory Committee (MAC) DST, New Delhi, who made recommendations were not having specialized knowledge and experience.

7. Learned Deputy Solicitor General of India for respondent No.1 would contend that the Writ Petitioner, instead of

approaching a competent Civil Court, filed the present Writ Petition and it is not maintainable. It is further contended that the Expert Committee, constituted by the Department, resolved not to recommend the proposal submitted by the Writ Petitioner as it does not meet the parameters that require effective consideration. Learned Deputy Solicitor General of India further contends that the USERS Committee consists of Scientists, having vast professional experience in the respective areas, including sub-areas in the domain of expertise and the decision of the Committee is a collective decision. Hence, it is prayed to dismiss the Writ Petition.

8. Sri O.Udaya Kumar, learned Central Government Counsel representing respondent No.2 reiterated the contentions of learned Deputy Solicitor General of India and prays the Court to dismiss the Writ Petition.

9. Perused the entire material available on record.

10. Now, the point that arises for consideration in the present Writ Petition is, whether the Writ Petitioner has made out his case for directing the respondents to grant aid/honorarium by accepting the Project 'Practice of Geological Resource Evaluation (Boreholes to Board Room) for Professional and Students'?

11. There is no dispute with regard to the qualifications acquired by the Writ Petitioner and also in regard to service rendered by him under various designations. Indisputably, *vide* Letter dated 16.03.2010, Prof. K.L.Rai, President of Association of Economic Geologist advised the Writ Petitioner to write a book on Ore Reserve Estimation Methods to cater the needs of University Teachers and Research Scholars as well as the Professionals of Mining Industry under the scheme of USERS, on the pretext that there is no good book with Indian Case Studies on the aforesaid subject.

12. The main objective of the USERS scheme is to utilise the expertise and potential of large number of eminent scientists in the Country, who remain active and deeply motivated to participate in the Science and Technology Development activities, even after retirement and for such utilisation of service, a sum of Rs.20,000/- per month has been fixed payable to the Superannuated Investigators/Scientists/Technocrats towards honorarium.

13. *Vide* Letter No.HR/UR/38/2010, dated 03.02.2011, one S.S.Kohli, Scientist-F, Department of Science and Technology, New Delhi informed the Writ Petitioner that his project proposal could not be favourably recommended by the Expert Committee. In

the meantime, the Capital Publishing Company, New Delhi on 06.06.2011 made a communication that they undertake to publish the Book entitled 'Practice of Geological Resource Evaluation (Borehole to Board Room) for Professional and Students' authored by the Writ Petitioner and one A.K.Singh, after due scrutiny and review process. In reply to the said correspondence, the Writ Petitioner *vide* letter to the Head, SERC Division, Department of Science and Technology, New Delhi, dated 10.06.2011 submitted a fresh proposal mentioning the salient points of the book. However, since no communication was received from the concerned authority, *vide* Letters dated 06.08.2012 and 15.11.2012, the Writ Petitioner addressed letters to the Head, SERC Division, Department of Science and Technology stating that he learnt that the Expert Committee felt that similar publication/books were brought out by the reputed Publishers, and if the name of the book, author, year of publication and name of publisher is intimated, he would withdraw his proposal immediately.

14. The Writ Petitioner made an application under the RTI Act, 2005 to furnish the details *viz.* academic qualifications, field of specialization in Geology and professional qualifications of the Members of the Two Expert Committee that scrutinized the Writ

Petitioner's proposal and also their observations in regard to the proposal and fresh proposal made by the Writ Petitioner. In reply to the application made by the Writ Petitioner under the RTI Act, the CPIO & Head SERC, DST *vide* Letter No.HR/UR/17/2011, dated 10.06.2013 stated that the information sought by the Writ Petitioner is exempted from disclosure of information under Section 8 (e) of the RTI Act, in public interest. With regard to observations of the Two Expert Committee, it was stated that 'many books are available in the area' and 'field books are available'.

15. A perusal of the material on record goes to show that the CPIO and Scientist-G *vide* Letter No.HR/UR/17/2011, dated 14.08.2013 in its letter stated that as per the provisions of the RTI Act, 2005, the Writ Petitioner raised questions and not sought information as defined under Section 2 (f) of the RTI Act, 2005. Further, a list of books with the support of the USERS Scheme in the last four (04) years, is available at the SERB website.

16. A perusal of the material on record further goes to show that aggrieved by the said reply, the Writ Petitioner preferred appeal before the Joint Secretary (Admn.), Appellate Authority (RTI, ACT), DST, New Delhi. *Vide* Order No.F-12014/108/2013-RTI, dated 13.08.2013, the Joint Secretary (Admn.) & Appellate

Authority, directed the CPIO to furnish the List of Experts of the Management Advisory Committee (MAC). In regard to Writ Petitioner misgiving of the credibility of the Experts, it was held that the query raised does not constitute information under Section 2 (f) of the RTI Act, 2005 and accordingly, disposed of, the appeal.

17. A perusal of material on record further goes to show that pursuant to the Letter dated 23.09.2013 addressed by the Writ Petitioner that he did not receive any details as per the Order dated 13.08.2013, *vide* Order No.F-12014/145/2013-RTI, dated 25.10.2013, the Joint Secretary (Admn.) and Appellate Authority, expressed its regrets in regard to the delay caused in providing the list of Experts of the Management Advisory Committee (MAC) to the Writ Petitioner. However, the Writ Petitioner was directed to file his grievance at appropriate forum, if desired so, as the RTI Act cannot be used as a grievance redressal mechanism. It was observed in the said order that the Committee Members, who are Experts in different areas, take into consideration a number of factors based on their expertise in selection of the proposal and that no information is available in DST regarding list of the books as desired by the Writ Petitioner.

18. A perusal of additional material documents filed by the Writ Petitioner goes to show that subsequently, the Writ Petitioner wrote a book titling *Methods of Mining Geology and Estimation of Ore Reserves* and it was got published by the Cambridge Scholars Publishing, in the month of December, 2024. The only grievance of the Writ Petitioner is that he was not informed the reason, as to why the Expert Committee had not recommended his proposal, favourably. Indeed, since the book was published by the Writ Petitioner, the Writ Petition has become infructuous, and the Writ Petitioner is at liberty to approach appropriate Forum for grant of aid/honorarium for the claim of alleged loss, if any, caused to him by spending his time contributing towards the proposed project. Therefore, this Court is of the opinion that the Writ Petition is not maintainable.

19. Accordingly, the Writ Petition is dismissed. No costs.

As a sequel, interlocutory applications pending, if any, in the Writ Petition shall stand closed.

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**JUSTICE K. SREENIVASA REDDY**

12<sup>th</sup> March, 2026.

DNB