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Government of Jammu and Kashmir  
Public Works (R&B) Department  
(HRM – Section)  
Civil Secretariat, Srinagar

**Subject: Acceptance of Degrees acquired by Diploma holders Junior Engineers (Civil) and inclusion of their names in the seniority list of Junior Engineers (Civil) Degree Holders.**

**Government Order No. 307-PW(R&B) of 2021**

**D a t e d : 12 .10. 2021**

Whereas, as per provisions of J&K Engineering (Subordinate) Service Recruitment Rules, 1997, a Junior Engineer, Diploma holder after acquiring Degree in relevant branch of Engineering is to be treated as Degree holder for the purpose of seniority from the date of completion/ passing of Degree; and

Whereas, this department has received following cases for acceptance of their Degrees and subsequent inclusion of their names in the seniority list of Junior Engineers (Civil) Degree holders:-

S. No.	Name	Date/ Year of enrollment	Date of appointment	Name of University	Date of passing Degree
01.	Arshid Hussain Zugi	January 2004	20.08.2013	IGNOU	25.02.2014
02.	Mohammad Mudasin Khanday	July 2002	08.08.2014	-do-	25.02.2014
03.	Muneer Ahmad Misgar	July 2002	24.06.1999	-do-	14.08.2014
04.	Mohd Afzal Bhat	January 2007	16.04.2007	-do-	08.08.2013
05.	Abdul Rehman	January 2007	29.08.2007	-do-	08.08.2013

Whereas, with regard to issue of equivalence of Degrees obtained from the Institutions/ Universities other than AMIE Kolkatta, the department has taken up the matter with the AICTE for clarifications. In response the AICTE vide their communication No.NWRO/ AICTE/ Verification/ 2020-21 dated 17.03.2021, among others, has clarified as under:-

"The Degree/ Diploma are verified / validated by the issuing authority i.e concerned University/ Institution only However, reply in respect of

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verification status of the Institutes from there officers/ employees have got their degrees are submitted herewith in a tabular form for action in this regard:-

(Operative part of clarification regarding IGNOU)

Information sought	Clarification/ reply from AICTE
IGNOU (Distance Education)	IGNOU does not come under the purview of AICTE. However, AICTE has issued a circular AICTE / P&AP/ IGNOU/ misc/ 2020 dated 25.11.2020 which is enclosed herewith as <b>Annexure-I</b> . This is as per the approval of EC/ Council in the basis of Supreme Court judgment.

Relevant extract of Circular issued under No.F/No.AICTE/P&AP/ IGNOU/ Misc/ 2020 dated 25.11.2020 reads as under:-

"..... It is further informed that Hon'ble Supreme Court in its Judgment dated 19.09.2020 relating to W.P (C ) No.1341 of 2019; MD Naseem Baig & Others V/s AICTE has extended the same relief to petitioners who will be covered in the years 2010-11 and 2011-12 and opined that since there is no distance education courses in IGNOU after these years and these are the last batches who will be granted the reliefs. **AICTE has no objection for B.Tech. Degree/ Diploma in Engineering awarded by IGNOU to the students who were enrolled upto academic year 2011-12 with IGNOU as per Supreme Court Judgment and hence are treated as valid as a special case but cannot be taken as precedence and not for post 2012.**"

Whereas, the case was re-examined in the Department and the Degrees/ marks certificates of the above named Engineers were forwarded to the Registrar, IGNOU, New Delhi on 08.02.2021 for verification of genuineness of their Degrees. In turn the Authorized Signatory, IGNOU, New Delhi vide their letters dated 17.02.2021 has verified the genuineness of the degrees/ documents acquired by the above officials.

Whereas, the above incumbents have also produced undertakings in the shape of Affidavits dully attested by the 1<sup>st</sup> Class Judicial Magistrate, affirming therein that in case any information about their Degrees is found fraudulent/ bogus at any time during service, the same shall be deemed to be cancelled ab-initio and action as warranted under rules shall be initiated against them in terms of J&K Civil Services (Classification, Control & Appeal) Rules, 1956.





Whereas, the case was further examined in the department and it was observed that there is a case to accept the degrees of the above named Engineers and include their names in the seniority list of Junior Engineers Degree Holders (Civil). Accordingly notice for inviting therein objections from the members of the cadre was issued on **03.05.2021**. In response the Chief Engineer, R&B, Kashmir vide his letter No.CE/RBK/ ADM/ 6359 dated **02.06.2021** has intimated that the notice was published in the newspaper, however his office has not received any objection from any official regarding proposed action.

Whereas, the Finance Department has issued circular instructions under endorsement No.A/HACM (2012)-PMO-49 dated 01.02.2019 clarifying therein that the advance increments to degree holders on their appointment as Junior Engineers are available on initial appointment and not at the time of acquiring degree after entry into Government Service as Diploma holder.

Now, therefore, the following Junior Engineers (Civil) (Diploma holders) shall henceforth be treated as Junior Engineers (Civil) Degree holders from the date of passing of Degrees and their name(s) shall be included at appropriate place(s) in the seniority list of Junior Engineers (Civil) Degree Holders as and when the same is notified afresh, besides, their names shall be deemed to be excluded from the seniority list of Junior Engineers (Civil) Diploma holders:-

S. No.	Name	Date/ Year of enrollment	Date of appointment	Date of passing Degree
01.	Arshid Hussain Zugi	January 2004	20.08.2013	25.02.2014
02.	Mohammad Mudasir Khanday	July 2002	08.08.2014	25.02.2014
03.	Muneer Ahmad Misgar	July 2002	24.06.1999	14.08.2014
04.	Mohd Afzal Bhat	January 2007	16.04.2007	08.08.2013
05.	Abdul Rehman	January 2007	29.08.2007	08.08.2013

However, the pay of the above named Junior Engineers shall be regulated as per circular instructions issued by the Finance Department under endorsement No.A/HACM (2012)-PMO-49 dated 01.02.2019.

By order of the Government of Jammu & Kashmir.

Sd/-  
(Shailendra Kumar) IAS  
Principal Secretary to the Government


No.PWD/HRM2/ 5/ 2021-01-PWD R&B

Dated: 12 . 10. 2021

Copy to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.

3. Director, Archives, Archaeology & Museum, J&K, Jammu.
4. Development Commissioner Works, PW(R&B) Department.
5. Chief Engineers, PW(R&B) Department, Kashmir/ Jammu.
6. OSD to Hon'ble Advisor (B) for information of Hon'ble Advisor.
7. Private Secretary to the Principal Secretary to Government, PW(R&B) Department
8. Concerned Engineers.
9. Government Order file/ Monday return file w.2.s.c
10. I/C Website, Public Works(R&B) Department.

  
(Rajnish Kumar) KAS  
Additional Secretary to Government  
Public Works (R&B) Department