



Government of Jammu and Kashmir  
**Public Works (R&B) Department**  
Civil Secretariat, Jammu/Kashmir

Subject:- Acceptance of Degree acquired by Mr. Abdul Rouf Khan Junior Engineer: (Mech) and inclusion of his name in the seniority list of Degree holders JE (Mech).

**Government Order No. 211 -PW(R&B) of 2023**

**Dated: 31 .05.2023**

**Whereas**, as per provisions of J&K Engineering (Subordinate) Service Recruitment Rules, 1997, a Junior Engineer, Diploma holders 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**, the Mission Director, Jal Jeevan Mission J&K vide his letter No.SMD/JJM-J&K/01/2020-21/1086 dated 27.12.2021 has forwarded the case of Mr. Abdul Rouf Khan Junior Engineer (Mech) for inclusion of his degree and inclusion of his name in the seniority list of degree holders Junior Engineers (Mechanical) whose particulars are given as under:-

S.No	Name	Date of appointment	Date of passing of degree	Name of University	Whether permission granted by the Admn. Deptt.
1	Mr. Abdul Rouf Khan JE (Mech)	21.10.2004	09.04.2014	Institution of Mech. Engineers Mumbai India	Yes, vide No. PW/M&S/34/2010 dated 05.04.2011

**Whereas**, the case was examined in the department and Degree/ marks certificates of the above-named Engineers were forwarded to the concerned Universities on 19.01.2022 for verification of genuineness of Degree. In response, the concerned University /Institution vide their

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communication No. JK-19464/31/22 dated 21.04.2022 has verified the degree certificate of the incumbent.

**Whereas,** the above incumbent has also produced undertaking in the shape of Affidavit dully attested by the 1st Class Judicial Magistrate affirming therein that in case any of the certificate/ documents submitted by him regarding treatment as Junior Engineer degree holder is found to be fake or any statement made by him in this regard is found untrue at any time, he shall be personally responsible for the same.

**Whereas,** clarifications with regard to validity/ equivalence of Degree were sought from AICTE and in response to which the AICTE vide their communication No.NWRO/ AICTE/ Verification/ 2020-21 dated 17.03.2021 has forwarded the clarification issued on the subject and the operative part of clarification are reproduced as under:-

*"The Institute of Civil Engineering (India) Ludhiana are Professional Bodies conducting technical courses and awarding associate membership to the candidates who qualify the examination conducted by them. In this regard, AICTE has issued a circular F.No.13-56/ PC/ ODL-Mode/ AICTE/ 2020 recognition of certification awarded by Professional Bodies/ Institutions dated 23.11.2020, which is self explanatory. The professional societies recognized by MHRD upto 31.05.2013 were permitted to conduct section A&B exams and treated equivalent to degree upto 31.05.2013 only.*

**Whereas,** the operative part of Circular No.F.No.13-56/ PC/ ODL- Mode/ AICTE/ 2020 dated 23.11.2020 issued by the AICTE is reproduced as under:-

*".....It is to inform you that, AICTE in its 52 nd emergent council meeting held on 03.08.2017 has recognized the courses conducted by the professional bodies/ institutions in accordance with MHRD OM No.11-15/2011-AR (TS.II) dated 6.12.2012 for equivalence for all purposes including higher education & employment which were duly recognized by MHRD with permanent recognition upto 31.05.2013.....*

*Thus all those students who were enrolled with these Institutions as per the above MHRD OM with permanent recognition upto 31.05.2013 stand recognized*

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*and public notice was issued on 31.10.2017 accordingly. However, AICTE recognition is not course specific and this is only the endorsement of the decision of MHRD in this regard. Hon'ble Supreme Court in its judgement dated 13.08.2019 in the case MA No.2367 of 2018 in Civil Appeal No.17922 of 2017; Institution of Mechanical Engineers V/s State of Punjab & Ors has endorsed the decision of MHRD and AICTE Public Notice issued in 2017.*

**Whereas,** relevant extract of Public Notice issued by the AICTE on 31.10.2017 reads as under:-

*"..... Accordingly, the Council in its 52 nd Emergent Meeting held on August 3, 2017 decided to recognize equivalence for all purposes including Higher Education & Employment to Technical Courses conducted by various Professional Bodies/ Institutions which were duly recognized by MHRD with permanent recognition upto 31<sup>st</sup> May 2013. Thus all those students who were enrolled with these institutions with permanent recognition upto 31.05.2013, stand recognized.*

**Whereas,** on re-examining of the case, it has been observed that there is a case to accept the Degree of the official from the date of passing Degree and also include his name at appropriate place in the relevant seniority list of Degree Holders Junior Engineers (Mech) as and when the same is notified afresh by the department and also exclusion of his name from the seniority list of Junior Engineers (Mech-Diploma holders) when it is revised/ updated.

**Whereas,** the case was further examined in the department and a notice was issued on 23.05.2022 for inviting therein objections from the members of the cadre who are likely to be affected due to decision of the department. In response, the Chief Engineer MED, Kashmir vide letter No. MED/K/Adm/1809-11 dated 23.07.2022 has intimated that his office has not received any objection(s) from any member(s) of cadre regarding decision taken by the Department in the instant case.

**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

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appointment and not at the time of acquiring degree after entry into Government Service as Diploma holder.

**Now**, therefore, Er. Abdul Rouf Khan, Junior Engineer (Mechanical) Diploma holder shall henceforth be treated as Degree holders Junior Engineers (Mech) from the date of passing of Degree and his name shall be included at appropriate place in the seniority list of Degree Holders Junior Engineers (Mech) as and when the same is notified afresh. Besides, his name shall deemed to be excluded from the seniority list of Junior Engineers (Mech) Diploma holders. However, the pay of these Engineers shall be regulated as per circular instructions issue 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

Dated: 31.05.2023

No.PWD-HRM1/1/2022-05 (C.No.114569 )

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



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

