

**Subject:- Minutes of the meeting of Equivalency Committee held under the Chairmanship of Sh. A. Sreenivas, IAS, DGTE on 11.02.2019 at 03:00 PM in the Conference Room of Shiksha Sadan, Sector-5, Panchkula, Haryana.**

The meeting under the Chairmanship of W/DGTE was held on 11.02.2019 at 03.00 PM. The following were present in the meeting:

1. Dr. Vikram Singh, Dean Academic Affairs, J.C. Bose U S&T, YMCA, Faridabad
2. Prof. Rajesh Malhotra, Dean Academic Affairs, GJUS&T, Hisar
3. Smt. Rama Chhabra, Associate Professor, NITTTR, Chandigarh
4. Sh. Rajinder Kumar Choudhary, JD (College/Univ.)
5. Sh. P.K. Malhotra, Joint Director, DTE, Panchkula
6. Sh. Rajbir Singh, ADA, DTE
7. Sh. R.K. Miglani, JS, HSBTE
8. Sh. K.S. Jamwal, JD (Admn.), DTE
9. Dr. Nidhi Aggarwal, Asstt. Secy, HSBTE- Invitee
10. Sh. Arun Kumar, DD (Univ.), DTE
11. Sh. Balwan Singh, DD (Pvt. Colleges), DTE- Convener of the meeting.

The agenda items pertaining to Diploma Technical Courses and Degree Technical Courses submitted by HSBTE and University Branch of DTE vide their U.O No. 28/Equi./HSBTE dated 06.02.2019 and U.O No. 15/Univ. dated 07.02.2019 respectively were placed in the meeting. The Agenda items were deliberated one by one and following decisions were taken by the committee:

A) Agenda items submitted by HSBTE pertaining to Diploma Technical Courses:

The recommendations of the equivalency committee in case of **Diploma Technical Courses** are as under:

Item No.	Agenda	Decision/recommendations
1.	Recognition/approval of Diploma awarded by SLIET, Longowal	In view of the Sant Longowal Institute of Engineering & Technology, Longowal established by MHRD, GoI and recognition of its various diploma courses including diploma in Maintenance & Plant Engg. vide MHRD gazette notification dated 08.03.1995, the diploma courses offered by SLIET Longowal and recognized by MHRD may also be recognized by the Haryana State Board of Technical Education.
2.	Equivalency of the diploma in Tool & Die offered by Nettur Technical Training Foundation (NTTF), Hyderabad	An expert committee comprising of subject experts may be constituted to examine the Diploma Courses offered by NTTF at its various centers and to recommend which of their courses are found fit for recognition by the Board / Department for the purpose of admission in B.Tech. through lateral entry.
3.	Recognition of Diploma in Civil Engineering [DCLE (G)] awarded by IGNOU, New Delhi	As per the Apex Court Judgment dated 30.07.2018 in writ petition (C) no. 382 of 2018 and the AICTE letter F.No. AICTE/P&AP/Mics./2018/622 dated 11.12.2018 whereby the AICTE has informed to the Vice-Chancellor, IGNOU, New Delhi that- <i>".... We would like to inform you that AICTE Executive Committee in its meeting held on 11.10.2018 discussed the matter regarding recognition to B.Tech. degree/ diploma (Open and Distance Learning Mode) awarded by IGNOU. It is informed that AICTE honours the judgment of Hon'ble Supreme Court in the case W.P.(C) No. 382 of 2018: Mukul Kumar Sharma &amp; others Vs</i>



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		<p><i>AICTE and others dated 30.07.2018 and has no objection for B.Tech Degree / Diploma in Engineering awarded by IGNOU to the students who were enrolled upto academic year 2009-10 to be treated as valid as a special case and it could not be taken as a precedence..."</i></p> <p>In view of the above, the Committee recommends that the department should refer the matter to General Services Branch of Chief Secretary's Office for issuing policy guidelines in this regard having reference to CS instructions dated 21.05.2009 regarding technical qualification(s) acquired through distance mode and considering the issue in the light of the above mentioned judgment dated 30.07.2018 in <i>Mukul Kumar Sharma &amp; others</i> and the Hon'ble Apex court judgments dated 03.11.2017 and 22.01.2018, the judgment dated 06.11.2012 in <i>Kartar Singh's</i> case and CS instructions dated 21.05.2009 and 15.02.2018 issued pursuant to these judgments.</p>
4.	<b>Recognition/approval and mode of Diploma awarded by the various Defence Forces under GoI</b>	Clarification for all such cases pertaining to Diploma Certificates awarded by the Armed Forces regarding their tenure, nomenclature and statutory approvals etc., may be sought from AICTE.
4.1	Sh. Amar Singh S/o Sh. Badri Prasad – equivalency / recognition of diploma in Electrical Engineering from AOC, IAF, AFRO, New Delhi for appointment purpose	
4.2	Sh. Karnail Singh, GSA (ESM) - equivalency / recognition of Diploma in Radio Fitter from Indian Air Force (recognized as diploma in electronics by GoI) for promotion purpose	
4.3	Sh. Jogender Singh equivalency / recognition of Diploma in Mechanical Engg. Diploma Holder from Naval Institute of Aeronautical Technology, Kochi for appointment purpose	
4.4	Sh. Roshan Singh - recognition / approval of diploma awarded by the Indian Army Corps of Signal, Jabalpur for promotion purpose	
4.5	Sh. Dharmender – Equivalency / recognition of diploma in Electrical Fitter of Signals from 2 Signal Training Centre, Goa for appointment purpose	As per 4 above.
5.	Recognition of diploma in Electrical Engineering from Assam University, Silchar	Clarification may be sought from Assam University regarding recognition of the Diploma in Electrical Engineering being

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		conducted in collaboration with CIDC.
6.	Issues related to Distance Mode Education acquired from IME	<p>In <i>Kartar Singh's</i> case (CWP No.1640 of 2008 decided on 06.11.2012), the Division Bench of Hon'ble High Court of Punjab and Haryana has held <i>inter-alia</i> that the degrees or the membership granted by IME, Mumbai cannot be treated as equivalent to Degree in Engineering. Thereafter, the said judgment has been up held by the Hon'ble Apex Court vide its judgment dated 03.11.2017 in Civil Appeal nos. 17869-17870/2017 titled as <i>ORISSA LIFT IRRIGATION CORP. LTD VERSUS RABI SANKAR PATRO &amp; ORS.</i> AND Civil Appeal NOs. 17902-17905/2017 titled as <i>VIJAY KUMAR AND OTHERS, ETC.VERSUS KARTAR SINGH AND OTHERS ETC.</i></p> <p>Further, in view the policy guidelines of the State Govt. issued on 21.05.2009, the HSBTE does not recognize the diploma qualification obtained by the candidates in distance mode education.</p> <p>As such, the said technical qualification of the IME, Mumbai acquired through distance mode, cannot be considered as a valid qualification for direct recruitment or promotion in the State services. However, the AICTE vide public notice No. P&amp;AP/10(04)/2017 published on <b>31.10.2017</b> has notified that-<i>'.... the Council in its 52<sup>nd</sup> Emergent Meeting held on August, 03, 2017 decided to recognize equivalence for all purposes including Higher Education &amp; 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 intuitions with permanent recognition upto 31.05.2013, stand recognized.'</i></p> <p>Thus, the committee observed that the Hon'ble Apex Court has settled the issue vide above said judgment passed on 03.11.2017 i.e. subsequent to the above said meeting of the Council and the public notice.</p> <p>It is also observed that vide their representation, the employees of DHBVN have referred to judgment of Hon'ble High Court of Punjab and Haryana in the case of <i>Bhupinder Singh and others Vs State of Punjab and Anr.</i>(CWP No. 2673 of 2018) decided on 06.04.2018. Vide the said judgment, the Hon'ble High Court has held that-</p> <p><i>" ..... technical courses done by students from</i></p>



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		<p><i>institutes of Kolkata and Mumbai are valid:</i></p> <p>1. All candidates who were enrolled in the Institutes prior to 10.06.2002 and have passed the examination prior to December 2006, on the basis of pre-revised syllabus.</p> <p>2. All candidates, who have B enrolled themselves after December 2006 and have cleared the examination upto 31<sup>st</sup> May 2013, on the basis of revised syllabus are holding valid certificates for the purpose of employment and Higher Education."</p> <p>The committee observed that the above said case of Bhupinder Singh and others is pertaining to the State of Punjab and moreover the latest status/ final outcome of the case is not available with the committee.</p> <p>In view of the above, the committee is of the view that a clarification should be sought from Ld. LR Haryana as to whether the technical qualification offered by IME, Mumbai through distance mode is a valid qualification in reference to the court judgments mentioned above and CS instructions dated 21.05.2009.</p>
7.	Issues related to Diploma acquired through Distance Education Mode from Deemed Universities (Singhania University Pachari Beri, Distt. Jhujhunu, Rajasthan and JRN Vidyapeeth University, Udaipur, Rajasthan)	<p>In the light of Judgment dated 03.11.2017 passed by Hon'ble Supreme Court in Civil Appeal nos. 17869-17870/2017 titled as <i>ORISSA LIFT IRRIGATION CORP. LTD VERSUS RABI SANKAR PATRO &amp; ORS.</i> AND Civil Appeal NOs. 17902-17905/2017 titled as <i>VIJAY KUMAR AND OTHERS, ETC. VERSUS KARTAR SINGH AND OTHERS ETC.</i> and decision dated 22.01.2018 in M.A. Nos. 1795-1796 of 2017 in Civil Appeal Nos. 17869-17870 of 2017, the decision dated 06.11.2012 passed by Hon'ble High Court of Punjab and Haryana in the case of <i>Kartar Singh vs Union Of India &amp; Others (CWP No.1640 of 2008)</i> and the Chief Secretary, Haryana instructions dated 21.05.2009 and 15.02.2018, the technical qualifications acquired through Distance Education Mode are not recognized.</p>
8.	Recognition of Diploma qualification through Institution of Electronics & Telecommunication Engg. (IETE), New Delhi for the purpose of Recruitment / Promotion / Higher Education in the State	<p>AICTE vide public notice No. P&amp;AP/10(04)/2017 published on 31.10.2018 has notified that <i>the Council in its 52<sup>nd</sup> Emergent Meeting held on August, 03, 2017 decided to recognize equivalence for all purposes including Higher Education &amp; 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</i></p>



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		<p><i>these intuitions with permanent recognition upto 31.05.2013, stand recognized.</i></p> <p>Further, as per MHRD F.No. 20-2/2018-TC dated 28.02.2018 addressed to UPSC pertaining to the recognition of the diploma qualifications acquired from Professional Bodies / Institutions with permanent recognition upto 31.05.2013 would be eligible for consideration in accordance with MHRD office memorandum.</p> <p>However, keeping in view the above mentioned judgments dated 03.11.2017 and 22.01.2018 passed by Hon'ble Supreme Court, the judgment dated 06.11.2012 passed by Hon'ble High Court of Punjab and Haryana in the case of <i>Kartar Singh vs Union Of India &amp; Others (CWP No.1640 of 2008)</i> and the Chief Secretary, Haryana instructions dated 21.05.2009 and 15.02.2018, the technical qualifications acquired through Distance Education Mode are not recognized.</p> <p>In view of the above, the committee recommends that the Department should refer the matter to <b>Ld. LR, Haryana</b> for opinion regarding validity of technical qualification offered by Institution of Electronics &amp; Telecommunication Engg. (IETE), New Delhi for the purpose of Recruitment / Promotion / Higher Education in the State, in reference to the court judgments and CS instructions mentioned above.</p>
9.	Guidelines regarding the cases received from Other Departments	<p>Approved.</p> <p>The Department shall issue appropriate consolidated guidelines for both diploma and degree level cases.</p>
10.	ATR on other Agenda Items decided in the Equivalency Committee Meeting dated 11.02.2019	Noted.

**B) Agenda items submitted by University Branch pertaining to Degree Technical Courses and recommendations of the Equivalency Committee are as under:**

Sr. No.	Agenda	Decision/ recommendations of the Equivalency Committee
1	To note the follow-up action on the decisions taken in the Equivalency Committee meeting held on 13.12.2017 at 12:00 Noon under the Chairmanship of DGTE.	<p>Noted and approved. However, in case of agenda item no. 1, in reference to this office Memo No. U-3/17/18/32-36/Univ. dated 8.1.2018, the committee decided that HVPNL, Panchkula should take the action strictly as per Hon'ble Apex Court Judgment dated 03.11.2017 and 22.01.2018 and CS to Govt. of Haryana instructions dated 21.5.2009, 19.1.2018 and 15.2.2018.</p> <p>In case of agenda item no. 2 in reference to this office Memo No. U-3/17/18/37-39/Univ. dated 8.1.2018, it was decided that the Higher</p>



		<p>Education department should take action as per Hon'ble Apex Court Judgment dated 3.11.2017 and 22.1.2018 and CS to Govt. of Haryana instructions dated 21.5.2009 , 19.1.2018 and 15.2.2018. Moreover as per the CS instructions dated 21.5.2009, this Department is notified as nodal Department to give advice on the issues relating to equivalency aspects of qualifications, recognition of Degree/Diploma qualifications and recognition of Universities/Institutions in various disciplines covered by the Technical Education. Moreover, B.Sc (IT) programme is not covered under the preview of Technical Education Department, Haryana.</p> <p>In case of item no.3, it was decided that the matter may be referred to Registrar DCRUST Murthal and Dean Colleges to give the opinion strictly after reviewing their earlier decision as conveyed vide their letter no. DCRUST/59 dated 10.05.2018 in the light of UGC Do No. F2-7/2014(CC/NVEQF) Misc. dated 03.08.2016.</p> <p>In case of Agenda item no. 7 &amp; 8, it was decided that the Admin branch of this office shall take the action as per Finance Department U.O. No. 1/76/2011-1PR( FD) dated 03.08.2018 and as per Chief Secretary, Haryana instructions vide notification 10/1/2014-3GS-II dated 07.01.2018.</p> <p>Further, in case of item no. 10, it was decided that this issue does not involve anything relating to equivalency, therefore, the Engineer-in- Chief, Haryana, PWD B&amp;R may be intimated to take up the matter with AICTE regarding recognition of degree in Mechanical Engineering issued by Naval Institute of Aeronautical Technology, Kochi.</p>
2	Confirmation of Minutes of Equivalency Committee meeting held on 20.07.2018 at 11:30 AM under the Chairmanship of W/DGTE.	Minutes were Confirmed.
3	To note the follow-up action on the decisions taken in the Equivalency Committee meeting held on 20.07.2018 at 11:30 AM under the Chairmanship of DGTE.	Noted.
4	To discuss the issue regarding recognition of qualification in the engineering awarded Diploma/ Degree by IGNOU, New Delhi.	<p>As per the Apex Court Judgment dated 30.07.2018 in writ petition (C) no. 382 of 2018 and the AICTE letter F.No. AICTE/P&amp;AP/Mics./2018/622 dated 11.12.2018 whereby the AICTE has informed to the Vice-Chancellor, IGNOU, New Delhi that- <i>".... We would like to inform you that AICTE Executive Committee in its meeting held on 11.10.2018 discussed the matter regarding recognition to B.Tech. degree/ diploma (Open and Distance Learning Mode) awarded by IGNOU. It is informed that AICTE honours the judgment of Hon'ble Supreme Court in the case W.P.(C) No. 382</i></p>



		<p><i>of 2018: Mukul Kumar Sharma &amp; others Vs AICTE and others dated 30.07.2018 and has no objection for B.Tech Degree / Diploma in Engineering awarded by IGNOU to the students who were enrolled upto academic year 2009-10 to be treated as valid as a special case and it could not be taken as a precedence...”</i></p> <p>In view of the above, the Committee recommends that the department should refer the matter to General Services Branch of Chief Secretary's Office for issuing policy guidelines in this regard having reference to CS instructions dated 21.05.2009 regarding technical qualification(s) acquired through distance mode and considering the issue in the light of the above mentioned judgment dated 30.07.2018 in <i>Mukul Kumar Sharma &amp; others</i> and the Hon'ble Apex court judgments dated 03.11.2017 and 22.01.2018, the judgment dated 06.11.2012 in <i>Kartar Singh's</i> case and CS instructions dated 21.05.2009 and 15.02.2018 issued pursuant to these judgments.</p>
5.	Regarding Clarification on equivalency of B. Tech. Electrical & Electronics degree equivalent to B.Tech. Electrical Engineering.	<p>It was decided that the matter may be referred to the Vice Chancellor, J.C. Bose University of Science &amp; Technology, YMCA Faridabad to give their recommendations in reference to the letter of Renewable Energy Department, Haryana memo no. DNRE-Admin-2018/3454 dated 25.10.2018 as regards whether qualification of B.Tech. Electrical &amp; Electronics can be treated as equivalent to B. Tech qualification. Based on the recommendations of the University, the concerned department will be informed accordingly.</p>
6	Grievances arising out of Approved Minutes of the Meeting Equivalency Committee held on 20.07.2018 at 11:30 AM in the Conference Room of DTE Haryana against item no.16.	<p>The issue of validity of technical qualification offered by AMIE, Kolkata and IME, Mumbai etc. was decided by the Division Bench of Hon'ble High Court of Punjab and Haryana in <i>Kartar Singh's</i> case (CWP No.1640 of 2008 decided on 06.11.2012) wherein the Hon'ble High Court held regarding AMIE, Calcutta that- <i>we respectfully endorse the view taken by the Division Bench in Jagtar Singh's case (supra) that qualification of AMIE is relevant for the purposes of promotion and not for direct recruitment, as an Associate Member becomes eligible for Membership only if he is engaged in engineering profession.</i> Further as regards IME, Mumbai, it was held <i>inter-alia</i> that <i>the degrees or the membership granted by IME, Mumbai cannot be treated as equivalent to Degree in Engineering.</i></p> <p>Thereafter, the Hon'ble Apex Court, vide its judgment dated 03.11.2017 passed in Civil Appeal nos. 17869-17870/2017 titled as <i>ORISSA LIFT IRRIGATION CORP. LTD VERSUS RABI SANKAR PATRO &amp; ORS.</i></p>



AND Civil Appeal NOs. 17902-17905/2017 titled as *VIJAY KUMAR AND OTHERS, ETC. VERSUS KARTAR SINGH AND OTHERS ETC.*, has **upheld the above said decision of Hon'ble High Court**. Further, keeping in view the policy guidelines of the State Govt. issued on 21.05.2009, *the department does not recognize the technical qualification obtained by the candidates in distance mode education from IME, Mumbai.* Further, as regards the technical qualification offered by AMIE Calcutta, the department holds the opinion as per decision taken by the equivalence committee in its meeting dated 20.7.2018 that- *It is upto the employer to consider the qualification of AMIE (Section A & B Examination) for promotion to the post if the said qualification is mentioned in the service rules of the concerned department. The judgment dated 6.11.2012 of Hon'ble High Court, Chandigarh passed in Kartar singh V/S Union of India & others (CWP NO. 1640 of 2008) and judgment dated 3.11.2017 of Hon'ble Apex court in civil appeal no. 17869-17870/2017 may be referred.*

However, the AICTE vide public notice No. P&AP/10(04)/2017 published on 31.10.2017 has notified that *the Council in its 52<sup>nd</sup> Emergent Meeting held on August, 03, 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 intuitions with permanent recognition upto 31.05.2013, stand recognized.*

It is also observed that vide their representation, the employees of HVPNL, Panchkula have referred to the above said public notice of AICTE and their letter dated 10.05.2018 and the judgment of Hon'ble High Court of Punjab and Haryana in the case of *Bhupinder Singh and others Vs State of Punjab and Anr.* (CWP No. 2673 of 2018) decided on 06.04.2018. Vide the said judgment, the Hon'ble High Court has held that-

*" ..... technical courses done by students from institutes of Kolkata and Mumbai are valid:.*

*1. All candidates who were enrolled in the Institutes prior to 10.06.2002 and have passed the examination prior to December 2006, on the basis of pre-revised syllabus.*

*2. All candidates, who have enrolled themselves after December 2006 and have*





cleared the examination upto 31<sup>st</sup> May 2013, on the basis of revised syllabus are holding valid certificates for the purpose of employment and Higher Education."

The committee has however observed that the above said decision of AICTE taken in its 52<sup>nd</sup> Emergent Meeting held on August, 03, 2017 was taken prior to the judgment of Hon'ble Apex Court dated 03.11.2017 which settled the issues regarding technical qualifications acquired through Distance Mode. It is also observed that the above said case of Bhupinder Singh and others is pertaining to the State of Punjab and moreover the latest status/ final outcome of the case is not available with the committee.

In view of the above, the committee recommends that a clarification/legal opinion should be sought from Ld. LR Haryana as to whether the technical qualification offered by IME, Mumbai through distance mode is a valid qualification in reference to public notice No. P&AP/10(04)/2017 published by AICTE on 31.10.2017 and the above mentioned judgments of Hon'ble Supreme Court and High Court of Punjab and Haryana and CS instructions dated 21.05.2009 and 15.02.2018.

Meeting ended with the vote of thanks to the Chair and all present in the meeting.

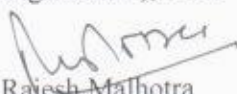
  
K.S. Jamwal  
JD, Admin. DTE


  
Dr. Vikram Singh  
Dean Academic Affairs  
J.C. Bose, US&T,  
YMCA, Faridabad


  
Dr. Nidhi Aggarwal  
Asstt. Secy, HSBTE


  
Arun Kumar  
DD, DTE

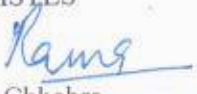
  
Rajinder Kumar Choudhary  
JD, (Colleges/Univ.), DTE

  
Prof. Rajesh Malhotra  
Dean Academic Affairs  
GJUS&T, Hisar

  
R. K. Miglani  
JS (Acad.), HSBTE

  
Balwan Singh  
DD, DTE- Convener of the  
committee

  
Sh. P. K. Malhotra  
JD, HSTES

  
Reema Chhabra  
Associate Professor  
NITTTR, Chandigarh

  
Rajbir Singh  
ADA, DTE