

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.3459/2014

This the 2rd day of December, 2015

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Dr. B.K. Sinha, Member (A)

1. Manoj Kumar Pal, Technician 'B',
Aged about 37 years,
S/o Sh. Kedar Nath Pal,
R/o 21, Shanti Vihar, Govindgarh,
Dehradun.
2. Santosh Kumar, ALS-III,
Aged about 28 years,
S/o Sh. Devlal Mahto,
R/o 116/263, Saiyyad Nagar,
Rawat Pur Gaon, Kanpur-208019
3. Rajesh Dabral, Technician 'C',
Aged about 37 years,
S/o Late Sh. Kishore Kumar,
R/o Village & Post Bhauwala,
Prem Nagar, Dehradun.
4. Manoj Kumar Pal, Technician 'C',
Aged about 34 years,
S/o Sh. Rajeshwar Sharma,
R/o Laxmi Narayan Puram
Vaishnav Vihar, Raipur,
Dehradun.
5. Pramod Nautiyal, Technician 'B',
Aged about 36 years,
S/o Sh. B.R. Nautiyal,
R/o H.No. 150, Street No.9,
Rajendra Nagar, Kaulagarh Road,
Dehradun, Uttarakhand-248001

6. Rachit Sharma, Store Assistant-B
Aged About 34 years,
S/o Sh. R.R. Sharma,
R/o 114, Pushp Vihar, Dharampur,
Dehradun, Uttarakhand
 7. Umesh Kumar, Admin Assistant,
Aged About 32 years,
S/o Sh. Tara Chand,
R/o Vigyan Vihar, Raipur Road,
Dehradun, Uttarakhand-248008
 8. Shashi Rana, Technician "c",
Aged About 32 years,
W/o Sh. Vipin Rana,
R/o B-69, Nehru Colony,
Dharampur, Dehradun-248001
 9. Ashish Chauhan, Technician 'B',
Aged about 33 years,
S/o Sh. Rajpal Singh Chauhan,
R/o D-2, Raksha Vihar, Near Anchal Dairy,
Raipur Road, Dehradun-248001
- ... Applicants

(By Advocate: Mr. M.K. Bhardwaj)

VERSUS

UOI & Ors. through:

1. The Secretary,
Govt. of India,
Ministry of Defence, New Delhi
2. The Secretary,
Govt. of India,
Ministry of Human Resources & Development,
New Delhi.
3. The Director,
Defence Electronics Applications Laboratory,
(DEAL), Raipur Road, Dehradun-248001.

4. The Director,
Instrument Research & Development,
Establishment (IRDE),
Raipur Road, Dehradun-248001
5. The Director,
DRDO Headquarter,
Govt. of India, Ministry of Defence,
Directorate of Human Resources Development,
Defence Research & Development Org.
DRDO Bhawan, New Delhi.
6. The Institution of Electronics &
Telecommunication Engineers,
2, Institutional Area, Lodhi Road,
New Delhi through its President. ... Respondents

(By Advocate: Mr. Subhash Gosain for respondents No. 1 to 5.
Mr. N.L. Bareja for respondent No. 6)

ORDER (ORAL)

By Hon'ble Shri V. Ajay Kumar, M (J):

Heard Mr. M.K. Bhardwaj, learned counsel for the applicants,
Mr. Subhash Gosai, learned counsel for Respondents No. 1 to 5 and
Mr. N.L. Bareja, learned counsel for Respondent No. 6.

2. The applicants, who have been working in different capacities
under the respondent-DRDO, submitted that all of them are eligible
for promotion to the post of Senior Technical Assistant "B"(STA-B),
as per rules, however, the respondents are not allowing them to

participate in the Limited Departmental Competitive Examination (LDCE) for promotion to the said post on the ground that their Diploma in Electronics & Telecommunication Engineering, obtained from the Institute of Electronics & Telecommunication Engineering (IETE), Lodhi Road, New Delhi is not valid. Aggrieved by the same, they filed the present OA.

3. During the pendency of the OA, the applicants were allowed to participate for the LDCE , subject to final outcome of the OA, vide order dated 26.08.2015.

4. Today, Mr. N. L. Bareja, learned counsel appearing for Respondent No. 6-IETE drew our attention to the letter of the 2nd respondent-MHRD, dated 28.07.2014, addressed to the IETE, New Delhi, which reads as under:-

“To

*Shri S.R. Aggarwal
The Institution of Electronics and
Telecommunication Engineers
#2. Institutional Area, Lodi Road,
New Delhi.*

*Subject: Regarding Office Memorandum dated
6.12.2012 issued by MHRD.*

Sir,

*Please refer to your Grievance Petition no.
IETE/121/ADMN/2014 dated 09.07.2014 on the above
mentioned subject.*

*2. In this regard, it is stated that the Ministry had
given recognition to courses of various institutions in the*

past which are available in the website of the Ministry. The Ministry had also issued an O.M. dated 6.12.2012 wherein it is clearly mentioned at para (ii) that all those students who are enrolled with institutions with permanent recognition upto 31.05.2013 would be eligible for consideration in accordance with MHRD office memorandum/order in force pertaining to their course for equivalence in Central Government Jobs, para (iii) after 31.05.2013, based on the review by the regulator i.e. AICTE, a decision on continuation of the certification of equivalence of degree/diploma shall be taken by statutory regulator and para (iv) the statutory regulators should review the fresh proposals/extension as per their statute and regulations.

3. However, the issue of recognition and equivalence is subjudice in Hon'ble High Court of Delhi."

5. Mr. Subhash Gosain, learned counsel for Respondents No. 1 to 5 also submits, while producing a copy of the Proceeding No. F.No.24.7/2002-TS.III dated 17.11.2015 whereunder it was categorically mentioned that Diplomas in Electronics & Telecommunication Engineering run by the Institution of Electronics & Telecommunications Engineers (IETE), Lodhi Road, New Delhi, in respect of the applicants who have acquired their Diplomas in the year 2010-11 be accepted as valid for the purpose of employment in the Central Government job in view of Ministry of Human Resource Development (MHRD) letter dated 10.01.2006 which was issued by the Ministry on the recommendations of the High Level Committee in its meeting held on 16.11.2005. Further it was also mentioned that the recognition to the above Diploma

was withdrawn by MHRD vide OM No. 11-15/2011-AR (TS.II) dated 6.12.2012 and the recognition to it was valid upto 31.05.2013.

6. It is an admitted case of all the parties that the applicants have been enrolled and obtained their respective diplomas between 2010-11 to 2012-13, i.e. before 31.05.2013 and, hence, both the proceedings produced by the respondents are in favour of the applicants in the present OA.

7. In the circumstance, the OA is disposed of by directing the respondents to declare the results of the applicants of the LDCE Examination and to consider the Diplomas enrolled/obtained by the applicants upto 31.05.2013 as valid for getting employment and for all consequential benefits in the Central Government and in the respondent organisations. The aforesaid exercise shall be completed within six weeks from the date of receipt of a copy of this order. No costs.

(B.K. Sinha)
Member(A)

(V. Ajay Kumar)
Member(J)

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