

OA.No.170/00620/2016/CAT/BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00620/2016

DATED THIS THE 13TH DAY OF AUGUST, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C V SANKAR, MEMBER (A)

Pavan Kumar,

Aged 27 years,

S/o Chinnappa,

PA, Saving Bank Control Organisation [SBCO],

Yadgiri HO,

Residing at No. LIG-35, 3rd Phase, Badepur Colony,

Sedam Road, Kalburgi – 585 105

.....Applicant

(By Advocate Shri B. Venkateshan)

Vs.

1. The Union of India,
Represented by the Secretary,
Dept. of Posts, Dak Bhavan,
New Delhi – 110 001.

2. The Chief Postmaster General,
Karnataka Circle, Bangalore – 560 001.

3. The Director of Postal Services,
O/o the Postmaster General,
North Karnataka Region, Dharwad – 580 001.

4. The Sr. Superintendent of Post Offices,
Gulbarga Division, Gulbarga – 585 101.

5. The Accounts Officer ICO [SB],
O/o the PMG, NK Region, Dharwad – 580 001.

6. The Registrar,
Karnataka Open University,
Manasagangotri, Mysore – 570 006.

7. The Secretary to Government
Education Department (University)
Vidhana Soudha,
Bangalore – 560 001.

8. The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.

....Respondents

(By Shri K. Dilip Kumar, ACGSC &

Shri Showri H.R. & Akshay D.B, Counsel for Respondent No. 8)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. The applicant submits that the Indira Gandhi National Open University has recognized a Degree Bridge Course indicating whereby that he had no formal qualifications and to be enrolled in a degree course he had to undergo a kind of PUC or a +2 course. The Karnataka Open University at Mysore had conducted such a course and the applicant was one of the beneficiary in the course. The applicant would now say that as against the contention of the UGC and the Government in fact by F. No. DEC/OU/Recog/2000 dated 08.04.2008 the Indira Gandhi National Open University has held that various programmes/courses approved by the statutory bodies/authorities of the university will be granted approval for a period of 5 years from the date of issue of the letter.

2. But it is pointed out that this letter is relating to degree course for the Universities and not to any bridge course and that is an unheard element in matters of higher education and academia.

3. To buttress their view the respondents point out to Annexure-R14 produced by them which is a letter issued to the Director, College Education Department by the Director of Pre-University Education Department of the Government of Karnataka which we reproduce in full:

*"To,
The Director,
College Education Department,
Palace Road, Bengaluru*

Respected Sir,

Sub: Regarding whether the "Degree Bridge Course" offered by KARNATAKA RAJYA MUKTA VISHVAVIDYALAYA (KARNATAKA STATE OPEN UNIVERSITY) is equivalent to the state PUC OR 10+2.

Ref: Your Department Letter No. KA.SHI.EE/ SHAI.VI/86/ITARE/2015-16 dated 18.12.2015.

In connection with reference to the above subject, clarification has been sought regarding the issue of Shri Pavankumar having obtained "Degree Bridge Course" from KARNATAKA RAJYA MUKTA VISHVAVIDYALAYA, MUKTAGANGOTRI, MYSORE (KARNATAKA STATE OPEN UNIVERSITY), whether this course/qualification is equivalent to state's PUC OR 10+2. In this regard, it is informed that the "Degree Bridge Course" from KARNATAKA RAJYA MUKTA VISHVAVIDYALAYA, MUKTAGANGOTRI, MYSORE (KARNATAKA STATE OPEN UNIVERSITY), is not equivalent to 10+2. The letter from KARNATAKA RAJYA MUKTA VISHVAVIDYALAYA, MUKTAGANGOTRI, MYSORE (KARNATAKA STATE OPEN UNIVERSITY), MUKTAGANGOTRI, MYSORE is enclosed for your kind information.

Yours faithfully,

Sd/-

Joint Director (Edn.)

Pre-University Edn. Dept."

The learned counsel for the applicant replies that this may be considered along with the letter issued by the UGC No. F.1-52/2000 (CPP-II) dated 02.11.2004. The learned counsel would invite our attention to the paragraph 2 of the said letter which we quote below:

"A circular was earlier issued vide UGC letter N.F.1-8/92(CPP) dated February, 1992 mentioning that the Certificate, Diplomas and Degrees

awarded by Indira Gandhi National Open University are to be treated equivalent to the corresponding awards of the Universities in the country.”

4. But then the learned counsel for the UGC and the Government point out that this is in relation to the recognition of degrees awarded by open universities and has nothing to do with the bridge course and the element of bridge course has already been expressed and explained by the Karnataka Government in Annexure-R14 letter therefore there cannot be any such bridge course to be conducted by the Karnataka Open University. If at all it was conducted, then the applicant cannot be held eligible as a degree holder as he has not passed +2. There is no merit in the OA.

5. The OA is dismissed. No order as to costs.

(C V SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00620/2016

Annexure A1 Copy of the applicant's SSLC Marks Card

Annexure A 2 Copy of the applicant's 1st PUC marks card

Annexure A 3 Copy of the applicant's 2nd PUC failed marks card with TC

Annexure A4 Copy of the applicant's 2nd PUC passed marks card

Annexure A5 Copy of the CPMG BG Memo dated 20.10.2014

Annexure A5(a) Copy of the Ministry of Home Affairs OM dated 10.11.1954

Annexure A6 Copy of the Memo dated 03.11.2014

Annexure A7 Copy of the Memo dated 05.02.2015

Annexure A 8 Copy of the Memo dated 13.11.2014

Annexure A 9 Copy of the letter dated 09.03.2015

Annexure A 10 Copy of the Memo dated 23.11.2014

Annexure A 11 Copy of the applicant's charge reports dated 24.12.2014/03.12.2015

Annexure A 12 Copy of the letter dated 17.03.2016

Annexure A 13 Copy of the applicant's representation dated 20.04.2016

Annexure A 14 Copy of the applicant's representation dated 22.03.2016

Annexure A 15 Copy of the letter dated 03.05.2016

Annexure A 16 Copy of the applicant's representation dated 07.05.2016

Annexure A 17 Copy of the UGC letter dated 02.11.2014

Annexure A 18 Copy of the Karnataka State Open University Act-1992

Annexure A 19 Copy of the letter dated 08.04.2008 of IGNOU

Annexure A 20 Copy of the letter dated 02.12.2014

Annexures with reply statement

Annexure R1 Copy of the PMG, North Karnataka Region Memo dated 23.12.2014

Annexure R2 Copy of the letter dated 15.03.2016 of the Commissioner of College Education

Annexure R14 Copy of the letter dated 03.02.2016 from the Director of Pre-University Education Department addressed to the Director, College Education Department.

Annexure R15 Copy of the letter No. KSOU/DEAN(EDN.)/2014-15

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