



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 3202/2014

New Delhi, this the 03rd day of December, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Paramjit Singh, Aged- 53 years,
S/o Sh. Naranjan Singh,
Working as Assistant Engineer (E),
In Department of Telecom,
Posted at Postal Electrical Sub-Division Ambala,
R/o C-2, Type-IV, GPO Compound,
Ambala.

...Applicant

(By Advocate: None)

Versus

1. Union of India through the Secretary,
Ministry of Communication & Information
Technology,
Department of Telecommunication,
Sanchar Bhawan, New Delhi.
2. The Director General,
Department of Telecom,
Sanchar Bhawan, New Delhi.
3. Senior Deputy Director General (BW),
Department of Telecom,
Sanchar Bhawan, New Delhi.

...Respondents

(By Advocate: Mr. Rajinder Nischal)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman:-

The applicant was working as Assistant Engineer (AE) in the Ministry of Communication & Information Technology. In the context of promotion to the post of Executive Engineer (EE), the qualification held by him became relevant. The applicant was holding an Engineering Degree from Janardhan Rai Nagar Rajasthan Vidyapeth University. The respondents refused to take the same into account as a valid qualification. Feeling aggrieved by the action of the respondents, the applicant filed this OA.

2. On earlier occasion, the OA was allowed on 18.03.2015. The respondents filed WP (C) No. 4281/2016, before the Hon'ble Delhi High Court. The Writ Petition was allowed through order dated 06.12.2018 taking into account, the judgment of the Hon'ble Supreme Court **in Orissa Lift Irrigation Corporation Ltd. Vs. Rabi Sankar Patro & Ors.**, (2018) 1 SCC 468.

3. Accordingly, the matter was remanded to this Tribunal for consideration. After remand, the



case was listed on several occasions. However, there was no representation for the applicant on many occasions. Therefore, we have perused the records and heard Mr. Rajinder Nischal, learned counsel for the respondents.

4. The only issue that arises for consideration in this OA is, as to whether, the qualification namely, the Degree in Engineering, secured by the applicant on correspondence basis from Janardhan Rai Nagar Rajasthan Vidyapeth University, can be treated as valid for the purpose of promotion to the post of EE.

5. Whatever be the uncertainty that existed in this behalf, the Hon'ble Supreme Court held categorically in **Orissa Lift Irrigation Corporation Ltd. Vs. Rabi Sankar Patro & Ors.**, (2018) 1 SCC 468, that such degrees cannot be treated as valid qualifications at all. In that judgment itself a direction was issued to AICTE and other agencies to conduct a special test for such persons. It is not known as if the applicant availed that opportunity.



6. As the things stand now, we do not find any merit in the OA and the same is, accordingly, dismissed. There shall be no order as to costs.

(Mohd. Jamshed) (Justice L. Narasimha Reddy)
Member (A) Chairman

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