

**BEFORE THE UTTARAKHAND PUBLIC SERVICES  
TRIBUNAL AT DEHRADUN**

Present: Hon'ble Mr. D.K. Kotia

----- Vice Chairman (A)

**CLAIM PETITION NO. 55/DB/2013**

Rajveer Singh, S/o Late Sri Guman Singh, presently posted as Additional Assistant Engineer (E&M), Mechanical Division, Peyjal Sansadhan Vikas Evam Nirman Nigam, Kotdwar

.....Petitioner

**VERSUS**

1. State of Uttarakhand through Secretary, Peyjal Nigam, Civil Secretariat, Subhash Road, Dehradun.
2. Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, Head Office-II, Monini Road, Dehradun through its Chairman.
3. Chief Engineer (Headquarters) Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, Head Office-II, Mohini Road, Dehradun.

.....Respondents

Present: Sri V.P.Sharma, Ld. Counsel,  
for the petitioner  
Sri U.C.Dhaundiyal, Ld. A.P.O.  
for the respondent No.1  
Sri Deepak Singh, Ld. Counsel  
for the respondents No. 2 & 3

**JUDGMENT**

**DATE: DECEMBER 04, 2017**

1. The present claim petition has been filed for seeking the following relief:-

*“(i) To issue order or direction to the respondents to add the B-Tech degree of the petitioner in the service record as the petitioner had written final degree examination well before the joining in the services with the respondents.*

*“(ii) Any other relief which the Hon’ble Court may deem fit and proper in the circumstances of the case.*

*“(iii) To award cost of this petition to the petitioner.”*

2. The petitioner was appointed as Junior Engineer in Peyjal Nigam (Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam) in May, 2005.

3. The petitioner did B.Tech. from Dehli College of Engineering which was an affiliated college of Delhi University at that time. The Bachelor of Technology (B.Tech.) course was a four year course. It was a part time course. The petitioner joined B.Tech. course in the year 2000 and completed the course in 2005. The petitioner had appeared in the final year examination of B.Tech before he joined Peyjal Nigam on 24.05.2005 (in pursuant to the appointment order dated 13.05.2005). The result of final year examination was declared after the petitioner had joined Peyjal Nigam. The petitioner received the certificate of passing the B.Tech from Delhi College of Engineering in December, 2005. The petitioner submitted the certificate as well as marks-sheets for all the four years to Peyjal Nigam on 28.12.2005 for adding his B.Tech qualification to his service record (Annexure: A2). The petitioner gave many reminders to add his B. Tech. qualification for a long period and the final reminder was given by him on 03.06.2013 (Annexure: A8). The respondents neither added his B. Tech qualification to his service record nor rejected his request nor even replied to the petitioner’s representations. Hence, the petition.

4. Respondents No. 2 & 3 have opposed the claim petition and it has been stated in their joint written statement that B.Tech qualification of the petitioner cannot be added to his service record because part time B. Tech course is not a recognized course.

5. The petitioner has filed the rejoinder affidavit and also supplementary affidavits and has contended that the certificate of B. Tech. (part time course) given by the Delhi College of Engineering is a recognized course. It has also been mentioned by the petitioner that Delhi College of Engineering was a part of Delhi University and in 2009, Delhi College of Engineering itself became Delhi Technical University (a University of the State of Delhi). The petitioner has also filed Annexures A:18 to A:22 to the rejoinder affidavit to show that the Delhi University and Delhi College of Engineering (which became Delhi Technical University in 2009) are very old and reputed educational institutions in the Country and the 4-year B.Tech. course is run by Delhi College of Engineering after a rigorous entrance examination. The petitioner has also filed a document (Annexure: A23) which pertains to the information received by the petitioner under the Right to Information Act which shows that the Delhi Technical University (DTU) is recognized by the University Grants Commission (UGC).

6. The petitioner has also filed a document which is an appointment letter dated 19.09.2014 (Annexure: A25) issued to the petitioner by the respondents as a result of direct recruitment on the post of Assistant Engineer (Mechanical). The qualification for appointment on the post of Assistant Engineer is Bachelor's Degree in Mechanical Engineering from Govt. recognized Institute/University. The B. Tech. degree of the petitioner from Delhi College of Engineering (which was affiliated to Delhi University) was accepted by the respondents for his appointment as a result of direct recruitment on the post of Assistant Engineer in 2014. It is, therefore, crystal clear that the B.Tech degree of the petitioner is a recognized degree. Learned

counsel for the respondents No. 2 and 3 also conceded the same at the time of hearing.

7. For the reasons stated above, the claim petition deserves to be allowed.

**ORDER**

The claim petition is hereby allowed. Respondents No. 2 & 3 are directed to add the B.Tech. degree of the petitioner to his service record for his services as Junior Engineer/Additional Assistant Engineer within a period of two months from today. No order as to costs.

**(D.K.KOTIA)**  
VICE CHAIRMAN (A)

*DATE: DECEMBER 04, 2017*  
*DEHRADUN*

*KNP*