

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
ABSTRACT

APGENCO - Regulations - Recognition of Degrees/Diplomas awarded by Universities/Deemed Universities/Institutions - Further Orders in terms of the Judgements of Hon'ble Supreme Court of India - Issued.

G.O.O.No. 56 /CGM(Adm, IS&ERP)/2021

Dt. 26. 05.2021.

Read the following:-

- i. G.O.O.No. 525/JS(Per)/2010, dt. 31.12.2010.
- ii. G.O.Rt.No.143, Higher Education(EC) Department, dt. 11.07.2018.
- iii. G.O.O.No. 314/JS(Per)/2018, dt. 27.08.2018.

In the G.O.O.No.525/JS(Per)/2010, dt. 31.12.2010 (Ref 1st read above) APGENCO issued orders on the degrees awarded to the courses offered under distance mode through Study Centres by other State Universities beyond the territorial jurisdiction of the respective state shall not be considered for recruitment, promotions, incentive increments or any other service benefits as they are not legally valid.

2. In the reference 3rd cited, the APGENCO has adopted the G.O.Rt.No. 143, dated 11.07.2018 consequent on pronouncement of judgement dt. 03.11.2017 of Hon'ble Supreme Court of India in CA No. 17869, 17870/2017 on suspending the Engineering Degrees w.e.f. 15.01.2018 awarded by the following Deemed to be Universities to those admitted from 2001-2005 with certain directions.

- i. JRN Rajasthan Vidyapeeth, Udaipur, Rajasthan,
- ii. Institute of Advanced Studies in Education, Sardarshahr, Rajasthan,
- iii. Vinayaka Mission's Research Foundation, Salem, Tamil Nadu,
- iv. Allahabad Agriculture Institute, Allahabad, Uttar Pradesh.

3. The Govt of Andhra Pradesh vide GO 2nd read above requested all the Departments/ All the State Universities to implement the Judgement pronounced by Hon'ble Supreme Court of India dt. 03.11.2017 in pursuance of the contents mentioned in para "1" of the said GO with the following directions and adopted the G.O in respect of the employees of APGENCO.

- i. To revert the employees who were promoted based on the Engineering Degrees of the said deemed Universities with the direction to attend and qualify in the test conducted by the All India Council of Technical Education to get their benefit or promotion or and other financial benefits thereon.

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- ii. To suspend/recall/cancel the Degrees issued by the Universities of AP to those students studied based on the Engineering Degrees of said deemed universities and issue notices to such students with a direction to attend and qualify in the test conducted by All India Council of Technical education to restore their Degrees issued by the University.

4. The Hon'ble Supreme Court in CA No.17869/2017 and 17871/2017 in MA No. 1795 & 1796 of 2017 corrected the suspension of Degrees with effect from 15.01.2018 to 31.07.2018 as one time relaxation and ordered that this facility was given as one time exception and passed certain directions so that those who have the ability can pass the test in the first attempt itself should not be put to inconvenience of the candidates who pass in such first attempt, they would be entitled to retain all the advantages. But, if they fail or choose not to appear, the directions in the judgement shall apply, in that the degrees and all advantages shall stand suspended and withdrawn/ At the cost of repetition, it is made clear that no more such chances, or exceptions will be given or made. They will undoubtedly be appear on the second occasion in terms of the judgement (dt. 03.11.2017) but this exception (treating the degrees as regular degrees without suspension for further time period) shall not apply for such second attempt.

5. After combined reading of the judgements of Hon'ble Supreme Court, the orders issued by Hon'ble High Court of Andhra Pradesh in WP No. 16320/2019, the clarification issued by Special Chief Secretary, Higher Education Department, GoAP and opinion of Learned Advocate General of Andhra Pradesh after careful examination of the issue, APGENCO hereby issue the continuation orders issued in the reference 3rd read above and inconsonance with the orders of the Hon'ble Supreme Court of India mentioned above, the following orders are issued.

A. The Degrees in Engineering awarded by the Deemed to be Universities i.e. (i) JRN Rajasthan Vidyapeeth, Udaipur, Rajasthan, (ii) Institute of Advanced Studies in Education (IASE), Sardarshahr, Rajasthan, (iii) Allahabad Agriculture Institute, Allahabad, Uttar Pradesh and (iv) Vinayaka Mission's Research Foundation, Salem, Tamil Nadu shall be treated as valid for recruitment, promotions, incentive increments or any other service benefits, subject to the following conditions.

- a. The employees should have obtained NOC to pursue the Engineering Degree through distance mode and enrolled during the academic session 2001-2005 in the above mentioned four Deemed to be Universities and qualified in the Special Examination conducted by UGC-AICTE in the months of June or December 2018;

b. (i) The candidates got/due promotion or advancement in career and who exercised the option to appear the special examination and appeared for the test/tests conducted by AICTE in terms of the judgement and clear the test/tests in two attempts within stipulated time, the degrees in question shall stand revived fully and all the advantages or benefits following there from shall be restored to the concerned candidates.

(ii) In respect of those candidates who got promotion or advancement, in career and have not cleared the test/tests within stipulated two attempts in terms of judgment dt. 03.11.2017 of Hon'ble Supreme Court, their degrees in Engineering through distance education shall stand recalled and cancelled. Any promotion or advancement in the career on the basis of such degrees shall stand withdrawn. However any monetary benefits or advantages in that behalf shall not be recovered from them.

(iii) Such of those candidates who were recruited based on the Degrees awarded to them by the deemed to be Universities, if they pass in first attempt, they would be entitled to retain all the advantages. But, if they fail or choose not to appear, the directions in the judgement dated 22.01.2018 in MA Nos. 1795-1796/2017 in CA Nos 17869-17870/20 shall apply.

c. The Engineering Degrees awarded by the concerned Deemed to be Universities after the academic session of 2001-2005, shall not be considered for the purpose of recruitment, promotions or any other service benefits.

B. The B. Tech degrees/Diplomas awarded by IGNOU (Indira Gandhi National Open University) to those candidates who were admitted upto the academic year 2009-2010 shall be considered for recruitment, promotion or any other service benefits, subject to condition that the employees should have obtained NOC prior to their admission to pursue B.Tech/Diploma from IGNOU.

6. It is also hereby ordered that appointments/Promotions given if any, considering Engineering Degrees/Diplomas obtained from Deemed Universities/IGNOU shall be reviewed based on the clarification issued now for strict adherence of the orders of the Hon'ble Supreme Court.

7. These orders are also available on APGENCO website and can accessed at the address www.apgenco.gov.in.

B. SREEDHAR
MANAGING DIRECTOR

To

All Chief Engineers // Superintending Engineers
The Chief General Manager (Adm, IS & ERP)/VS/VJA

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Copy to the:

PS to Chairman/APGENCO

Dy.EE(T) to Managing Director/VS/VJA

SAO to Director (Finance & Commercial)/VS/VJA

Dy.EE (T) to Director (HR & IR)/VS/VJA

Dy.EE (T) to Director (Thermal)/VS/VJA

Dy.EE (T) to Director (Hydel)/VS/VJA

Dy.EE (T) to Director (Coal & logistics)/VS/VJA

Stock file.

C.No.CGM(Adm,IS&ERP)/DS(E)/AS(PNT & Reg)/ 24/2018

// FORWARDED :: BY ORDER //

T. Nalin
ASSISTANT SECRETARY