

**Government of Jammu and Kashmir,
J&K Services Selection Board,
Rail Head Complex, Sehkari Bhawan, Jammu.
(www.jkssb.nic.in)**

**Office order No: 178-SSB of 2020
Date: -23-06-2020**

Subject: SWP No. 87/2016 titled 'Rohit Jotshi V/S State and others. (Selection List of candidates for the post of Junior Engineer Grade-II (Mechanical) Divisional Cadre Kashmir under Item No. 046 release of recommendation thereof).

Whereas, the J&K Services Selection Board vide Advertisement Notification No. 01 of 2012 dated 19.07.2012, advertised a number of posts under Hon'ble Prime Minister's Package for Kashmiri Migrants, including inter-alia, 32 posts of Junior Engineer Grade-II (Mechanical) Divisional Cadre Kashmir under Open Merit Category, reflected as Item No. 046 in the said advertisement; and

Whereas, the qualification prescribed for the post as per the indent/recruitment rules is 3 years Diploma in Mechanical Engineering from Government recognized Institute/Indian University, Degree in Mechanical Engineering or AMIE (A&B) India; and

Note:- "Indian University Degree/three year Diploma from Government recognized Institute in Aeronautical/Automobile Production Engineering shall be considered as equivalent to Degree/Diploma in Mechanical Engineering respectively."

Whereas, the following criteria were adopted by the Board for making selection to the above said posts:-

- | | |
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| i) Marks obtained in the written test (out of 150) to be proportionately converted into points | = 73 points. |
| ii) B.E | = 05 points. |
| iii) M.Tech | = 02 points. |
| iv) Viva-Voce | = 20 points. |
| Total | = 100 points |

Whereas, upon culmination of selection process on the basis of aforementioned criteria, the Selection List was forwarded to the Indenting Department vide Communication No. SSB/Sel/Secy/015/2289-95 dated 18.02.2015; and

Whereas, the petitioner namely Rohit Jotshi figured at S.No. 12 in the aforementioned Selection List securing 50.453 points and the last cut-off point is 39.8667 points. However, the recommendation of the petitioner was kept withheld subject to production of Bonafide certificate/validity/relevance of degree; and

Whereas, the petitioner subsequently produced the requisite documents, from the perusal of which it was found that the petitioner had obtained degree in Mechanical Sandwich Branch; and

Whereas, the issue was further examined in the Board and accordingly, taken up with the PW(R&B) Department vide Communication No. SSB/Sel/Secy/2015/7078-79 dated 03.08.2015 for clarification as to whether BE (Mechanical Sandwich) is to be considered for the post of Junior Engineer Grade-II (Mechanical); and

Whereas, in the meantime, the petitioner approached the Hon'ble High Court of J&K at Jammu through the medium of SWP No. 87/2016 titled 'Rohit Jotshi V/S State of J&K and Ors.,

and the Hon'ble High Court upon consideration of the writ petition vide its order dated 02.02.2016 directed as under:-

"...In the meanwhile, respondent No(s) 1 to 3 are directed to consider the case of petitioner for appointment on the basis of relevance certificate and Bonafide certificate produced by the petitioner within two weeks and report compliance..."

Whereas, the petitioner again approached the Hon'ble High Court by way of Contempt Petition bearing No. CCP (S) 424/2017 in SWP No. 87/2016 titled Rohit Jotshi v/s Mr. Tasaduq Hussain Mir & Ors. against the respondents for wilful contempt of orders of the Hon'ble High Court which is pending adjudication before the Hon'ble High Court of J&K at Jammu.

Whereas, this office is in receipt of representation dated 16.03.2020 from the petitioner. The petitioner through this representation submitted that:-

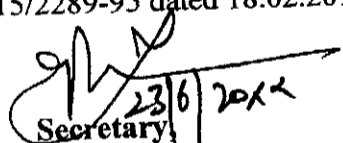
- a) he was selected as Jr. Engineer, Mechanical in pursuance to notification no 01 of 2012 dated 19.07.2012 under Item no 046 which was subject to production of Bonafide certificate and validity/ relevance of degree.
- b) he possess the B.E Mechanical (sandwich) degree from Savitribai Phule Pune University(formerly Pune University) which is equivalent to B.E. Mechanical Engineer Degree and is valid to be considered for the post of Jr. Engineer Mechanical.
- c) the JKSSB vide its letter no. SSB/Secy/2015/2699 dated 02.03.2015 and SSB/Secy/2015/7078-79 dated 03.08.2015 addressed to Department of Public Works (R&B) requested to intimate as to whether B.E. Mechanical (sandwich) degree is to be considered for the post of Jr. Engineer Grade-II (Mechanical). The Department of Public Works (R&B) vide its letter no. PW(R&B)HRM/18/2015 dated 19.03.2105 sought clarification from Chief Engineer, Mechanical Engineer Department, J&K.
- d) the Chief Engineer, Mechanical Engineer Department, J&K. vide its communication no. CEM/J/Tech/4181 dated 24.03.2015 addressed to Commissioner/Secretary to Government, Public Works (R&B) Department, Civil Secretariat Jammu in reference to above said letter dated 19.03.2015 intimated that "the course of Engineering Degree in question viz. B.E. Production sandwich and B.E Production Engineer is almost similar to B.E. Mechanical."
- e) the Chief Engineer, Mechanical Engineer Department, Kashmir vide its communication no. CEMK/Adm/6074 dated 27.03.2015 addressed to Commissioner/Secretary to Government, Public Works (R&B) Department, Civil Secretariat Jammu in reference to above said letter dated 19.03.2015 stated that "Course of B.E (Production sandwich), B.E (Production Engineering) and B.E (Mechanical Sandwich), it is commented that these branches are revolving around Mechanical Branch and hence can be considered for the Post of Jr. Engineer. Degree in question viz. B.E. is almost similar to B.E. Mechanical."
- f) the University of Jammu vide communication No FAcad/III/16/16022 dated 04.02.2016 addressed to applicant (petitioner herein) intimated that " B.E Mechanical (Sandwich) Degree offered by All India Shri Shivaji Memorial Society College of Eng., Pune" is a AICTE approved Course. Moreover certificate issued by the Adm. Officer of the said college and C/S by the concerned University itself speaks that the Degree is equivalent to B.E Mechanical degree".
- g) the University of Kashmir vide communication dated 10.06.2016 addressed to applicant (petitioner herein) intimated that "The guideline provided in the appended letter by the MHRD, Department of Higher Education may be followed. Moreover, the equivalence of the Degree be taken up with the concerned University that is Savitribai Phule Pune University (Formerly University of Pune).
- h) the Savitribai Phule Pune University (Formerly University of Pune) vide its reference no. ELG/43 dated 22.01.2016 addressed to applicant (petitioner herein) intimated that

“your case has been referred to Equivalence Committee and as per committee decision Mechanical Sandwich is equivalence to Mechanical Engineering.”

- i) the Department of public works(R&B) vide letter No. PW(R&B) HRM/18/2015 dated 08.08.2018 has sought clarification from the Director National Institute of Technology, Kashmir in reference to letter no SSB/SECY/2015/2699 dated 02.03.2015 of the Service Selection Board with regard to the equivalence of the BE (Production Sandwich), BE(Branch Production Engineering) & BE (Mechanical-Sandwich) with BE(Mechanical).
- j) the Mechanical Engineering Department of NIT Srinagar vide Communication No.5151-M dated 21.08.2018 intimated to public works(R&B) Department with reference to said letter dated 08.08.2018 that:-“ the Sandwich Bachelor Engineering programme offered by the Pune University is equivalent to Bachelor Engineering Programme offered by other reputed institutions in the Country.”
- k) the Department of public works(R&B) vide letter no. PW(R&B) HRM/18/2015 dated 11.05.2105, the information from the Chief Engineer, Mechanical Engineer Department, Jammu and The Chief Engineer, Mechanical Engineer Department, Kashmir has been intimated to the JKSSB.
- l) the AISSMS, College of Engineering (Affiliated to University of Pune) vide reference No. COE/PN/CERT/14-15 dated 19.05.2015 issued Bonafide Certificate in his favour which he have already submitted; and

Whereas, the matter was examined by the Jammu and Kashmir Services Selection Board in its 171st meeting held on 12.06.2020 and the Board taking into account the facts and circumstances of the case together with the opinion furnished by the NIT Srinagar and Chief Engineer, Mechanical Department, J&K, including the order passed by the Hon'ble High Court, the Board decided to release the recommendation in favour of the candidate by way of issuing a speaking order.

Now, therefore, in deference to order dated 02.02.2016 passed by the Hon'ble High Court in SWP No. 87/2016 titled 'Rohit Jotshi V/S State and others and as per the decision of the Board, the withheld recommendation of **Rohit Jotshi S/O Sh. Ravi Jotshi R/O 98/2 Govind Nagar, Revenue Complex Road, Talab Tillo Jammu** figuring at Serial No 12 post of Junior Engineer Grade-II (Mechanical) Divisional Cadre Kashmir under Item No. 046 is hereby released. However, the terms and conditions will be same as per Selection List forwarded to the Indenting Department vide Communication No. SSB/Sel/Secy/015/2289-95 dated 18.02.2015.


Secretary
Services Selection Board,
Jammu

No. SSB/Legal/R - 1/16/4865 - 70

Dated: 23/06/2020

Copy to the:-

1. Principal Secretary to Government, Public Works (R&B) Department Civil Secretariat, Jammu for information and necessary action.
2. Commissioner/Secretary to Government, General Administration Department Civil Secretariat, Jammu.
3. Secretary to Government, Department of Disaster Managements, Relief, Rehabilitation and Reconstruction, Civil Secretariat, Jammu for information and necessary action.
4. Pvt. Secretary to Chairman for information to the Ld. Chairman.
5. Rohit Jotshi S/O Sh. Ravi Jotshi R/O 98/2 Govind Nagar, Revenue Complex Road, Talab Tillo Jammu
6. Selection Division/ Record file.
7. In-charge website.