



ABSTRACT

Higher Education – Equivalence of Courses – Recommendation of the Expert Committee meeting held on 21.1.2019 in Tamil Nadu State Council for Higher Education - B.Sc. (Bio-Chemistry) awarded by Bharathidasan University not equivalent to B.E./B.Tech. (Industrial Bio Technology) - M.Sc. (Bio-Chemistry) awarded Bharathidasan University not equivalent to M.E./M.Tech. (Industrial Bio Technology) – Orders – Issued.

Higher Education (J1) Department

G.O.(Ms) No.15

Dated: 22.01.2019
விளம்பி வருடம், தை - 8
திருவள்ளூர் ஆண்டு 2049.

Read:

1. Interim Orders of the Hon'ble High Court in W.P.No. 35191/2012 dated 4.9.2018
2. From the Member (School Education) (FAC), Teachers Recruitment Board letter No.2011/L1/2012 dated 19.9.2018
3. From the Secretary, Tamil Nadu Public Service Commission, Chennai letter No.6141/RND-F1/2018 dated 10.11.2018
4. Interim Orders of the Hon'ble High Court in W.P.No. 35191/2012 dated 9.1.2019
5. From the Member Secretary (FAC), Tamil Nadu State Council for Higher Education, Chennai letter No.59/2019 A dated 21.1.2019.

ORDER:

The petitioner, Dr.N. Sangeetha filed a Writ Petition No. 35191/2012 to consider her for selection to the post of Assistant Professor (Industrial Bio – Technology) based on her qualification viz. M.Sc. (Bio-Chemistry), M.Phil (Bio-Technology) and Ph.D. (Bio-Chemistry) since she was not considered for selection by Teachers Recruitment Board. She did not possess the qualification notified by the Teachers Recruitment Board (TRB). The Board has fixed the following qualification for the post of Assistant Professor (Industrial Bio-technology) in Government Engineering Colleges:

Assistant Professor / Industrial Bio Technology:

B.E./B.Tech. in Industrial Bio technology and M.E. / M.Tech. Degree must have been obtained in the Industrial Bio Technology subject or obtained from the Department of Industrial Bio Technology with First Class or its equivalent either in B.E. /B.Tech. or M.E. /M.Tech.

The Hon'ble High Court in its interim order in W.P.No.35191/2012, first read above, has issued direction as follows:

“...2. In view of the above, the respondent authorities are directed to send the petitioner's certificate issued by the University to the equivalence Committee immediately within a period of one week from the date of receipt of a copy of this order and get the report within a period of one week from the date of receipt of a copy of this order and get the report within a period of two weeks thereafter.

...3. After getting report from the equivalence Committee, the Government Pleader is directed to file the report before this Court on or before 27.9.2018”.

2. In the letter second read above, the Chairman, Teachers Recruitment Board has sent the copies of certificates of Dr.N. Sangeetha and requested the Government to take further action. In the letter third read above, the Secretary, Tamil Nadu Public Service Commission has stated that in the 59th Equivalence Committee meeting, the following General Resolution was passed:

“It has also been resolved that the research programme viz., M.Phil, Ph.D. referred to by Educational Institutions / Government / Recruitment Agencies need not be taken up by Equivalence Committee for its recommendations and the same shall be sent back to arrive at a decision in consultation with the Universities concerned, as they are not the educational qualifications prescribed for any of the posts coming under the purview of Tamil Nadu Public Service Commission”.

He has further stated that as per section 25 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016, the equivalence of qualification to be declared by the Government; or by the appointing authority with the approval of the Government in case of posts (viz., Teachers Recruitment Board) which are not under the purview of the Tamil Nadu Public Service Commission. Therefore, that there is no rule provision to place the above subjects before the Equivalence Committee for its consideration and recommendation.

3. The Hon'ble High Court in its interim orders on 9.1.2019 in W.P.No.35191/2012, fourth read above, has directed as follows:

“...4. it is seen that as per Section 25 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016, the equivalence of qualification has to be declared by the Government or by the appointing authority (Teachers Recruitment Board) alone, with the approval of Government and not by the Tamil Nadu public Service Commission.

...5. Therefore, the Secretary to Government Higher Education (J1) Department, Secretariat, Chennai – 600 009 is directed to pass appropriate orders either by himself or may direct the Teachers Recruitment Board to pass appropriate orders with regard to

the equivalence of qualification and produce the certificate of equivalence in respect of the petitioner's subject on or before 28.1.2019, failing which this court will take suitable action on the same day...."

4. In the letter fifth read above, the Member Secretary (FAC), Tamil Nadu State Council for Higher Education has stated that as per the direction of the Government, an Expert Committee with the Chairperson of Board of Studies of Universities in Industrial Bio Technology (UG & PG) of various Universities of Tamil Nadu as members, was constituted based on the nomination of Registrars of Universities. The Committee met on 21-01-2019 and analysed the subjects whether B.Sc. (Bio-Chemistry) and M.Sc., (Bio-Chemistry) awarded by Bharathidasan University, Thiruchirappalli be equivalent to B.E./B.Tech in Industrial Bio Technology and M.E./M.Tech Industrial Bio Technology for the purpose of employment. Unit wise comparison of B.Sc. (Bio-Chemistry), Bharathidasan University with B.E./B.Tech. (Industrial Bio Technology) of Anna University syllabus was made by the Expert Committee. Based on the analysis, the Committee has recommended that B.Sc. (Bio-Chemistry) awarded by Bharathidasan University is not equivalent to B.E./B.Tech. (Industrial Bio Technology). Also, unit wise comparison of M.Sc.(Bio-Chemistry), Bharathidasan University with M.E./M.Tech. (Industrial Bio Technology) of Anna University syllabus was made. Based on the analysis, the Committee has recommended that M.Sc. (Bio-Chemistry) awarded Bharathidasan University is not equivalent to M.E./M.Tech. (Industrial Bio Technology). The Member Secretary, Tamil Nadu State Council for Higher Education has sent the recommendation of the Committee to Government for necessary action at Government level.

5. The Government after careful examination, accept the recommendation of the Expert Committee meeting constituted by the Tamil Nadu State Council for Higher Education and direct that the following educational qualifications possessed by the candidates is not equivalent to the courses mentioned therein:

Name of the courses	Equivalent / Not Equivalent
Public Services - Educational Qualification - Consideration of B.Sc. (Bio-Chemistry) awarded by Bharathidasan University as to whether equivalent to B.E./B.Tech. (Industrial Bio Technology) for the purpose of employment in Public Services.	Not Equivalent

Public Services - Educational Qualification - Consideration of M.Sc. (Bio-Chemistry) awarded Bharathidasan University as to whether equivalent to M.E./M.Tech. (Industrial Bio Technology) for the purpose of employment in Public Services.	Not Equivalent
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6. The higher qualification of the petitioner in W.P.No. 35191/2012 ie. M.Phil. (Bio Technology) and Ph.D. (Bio-Chemistry) are not considered for equivalence because, it is not the basic qualification fixed for the post of Assistant Professor (Industrial Bio Technology) notified by the Teachers Recruitment Board.

(BY ORDER OF THE GOVERNOR)

MANGAT RAM SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Secretary, Tamil Nadu Public Service Commission, Chennai - 3

The Chairman, Teachers Recruitment Board, Chennai -6

The Commissioner of Technical Education, Chennai -25

The Registrars of all Universities under the aegis of Higher Education Department.

The Director of Collegiate Education, Chennai - 6

The Member Secretary, Tamil Nadu State Council for Higher Education, Chennai - 5.

The Registrar, High Court of Madras, Chennai - 104.

Copy to

The Government Pleader, High Court of Madras, Chennai - 104.

The Special P.A. to Hon'ble Minister (Higher Education) Department, Chennai -9

The Private Secretary to Principal Secretary to Government,

Higher Education Department, Chennai -9

The Personnel and Administrative Reforms Department, Chennai -9

All Departments in Secretariat, Chennai -9

All Sections in Higher Education Department, Chennai - 9

SF/SC

// Forwarded by order //

22/1/2019

Section Officer

22/1/19