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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17002/2024 & CM APPL. 72082/2024**
SURBHI PATHAKPetitioner

Through: Mr. Ashwani Kumar, Mr. Puneet
Sharma and Mr. Aryan Jha,
Advocates.

versus

GAIL INDIA LTD & ANR.Respondents

Through: Mr. Vinay Kumar Garg, Senior
Advocate with Ms. Shantha Devi
Raman, Mr. K.S. Rekhi, Mr. Parv
Garg and Mr. Mayank Ranjan Yadav,
Advocates for R-1 with Mr. Bhuwan
Yadav, Sr. Manager (Law).
Mr. Nishant Gautam, SPC with Mr.
Sanjay Pal, G.P. for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
09.12.2024

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1. The Petitioner asserts that she had completed her Bachelor's in Science from KN College, Jodhpur in the year 2020 and completed a one-year certification course in Television Journalism in the year 2021. Thereafter, she acquired her Master's Degree in Mass Communication, through online and distance learning ('ODL') mode, from Guru Jambheshwar University of Science & Technology, in the year 2024. She further submits that the said university is duly recognised by the University Grants Commission¹.

2. On the basis of her qualifications, the Petitioner wanted to apply for a

¹ "UGC"



career opportunity for the post of Senior Officer (Corporate Communications) under an advertisement issued by Respondent No. 1 - GAIL India Ltd., in November 2024. However, her online application form could not be processed beyond a certain point since the form contained a question as to whether the Petitioner's degree was obtained through a full-time regular course or not. Since the Petitioner had completed her Master's degree through ODL mode, she selected the option 'No' on the aforementioned question. As such, the Petitioner's application was not accepted by Respondent No. 1 prompting her to file the instant writ petition.

3. The Petitioner contends that the Respondents have failed to consider that as per Regulation 22 of the UGC (Open and Distance learning Programmes and Online Programmes) Regulations, 2020, the UGC recognises degrees obtained through ODL mode to be at par with degrees obtained through regular or conventional courses. In light of the same, the Petitioner urges that since she has obtained a Master's degree from a UGC recognised university and the degree she obtained through ODL mode is also recognised by UGC, the denial of her application is discriminatory, unreasonable and arbitrary.

4. At the outset, Mr. Vinay Kumar Garg, Senior Counsel for the Respondent No. 1, states that no relaxation in qualification can be granted to the Petitioner as the advertisement issued by Respondent No. 1 itself specifies that the offer is only to candidates who have completed educational qualifications through full-time regular courses. Be that as it may, Mr. Garg further argues that the Petitioner cannot, even otherwise, succeed in the present petition as she also does not have minimum essential experience of 01 (one) year post-qualification experience, which condition also is



sacrosanct and cannot be relaxed.

5. In response, Mr. Ashwani Kumar, counsel for the Petitioner, very fairly acknowledges that the Petitioner does not have the minimum 01 (one) year post-qualification experience as stipulated in the advertisement of Respondent No. 1. However, he submits that the instant writ petition raises a pertinent question regarding the equivalence of the educational qualifications, as recognised by UGC and their applicability on Public Sector Undertakings, which may be considered by the Court.

6. The Court has considered the submissions and contentions of the parties, however is not inclined to grant the relief as sought in the present writ petition since the Petitioner does not have the requisite minimum essential experience for the post of Senior Officer (Corporate Communication), as stipulated in the advertisement of Respondent No. 1. The question regarding the equivalence of the qualifications and the binding nature of the UGC Regulations on Public Sector Undertakings are left open.

7. In light of the above observations, the present writ petition is disposed of along with pending application.

SANJEEV NARULA, J

DECEMBER 9, 2024/AS