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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 447/2023 and CM APPL. 1756/2023

DELHI COLLEGE OF ENGINEERING, TECHNICAL STAFF
ASSOCIATION (REGD.)Petitioner

Through: Mr. Nikhil Kadha, Advocate.

versus

DELHI TECHNOLOGICAL UNIVERSITY & ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat, SC DTU along
with Mr. N K Singh, Ms. Aliza Alam
and Mr. Mohnish Sehrawat,
Advocates for R-1 & 2.

Mr. Dhruv Rohatgi, Panel
Counsel(Civil), GNCTD with Mrs
Chandrika Sachdev and Mr. Dhruv
Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **20.01.2026**

1. The grievance raised by the petitioner relates to introduction of 'iris (retina scanning)' attendance system for non-teaching staff, to the exclusion of teaching staff.
2. The petitioner's case is that the aforesaid decision is arbitrary and discriminatory.
3. Respondent no. 2, in the counter affidavit filed to the petition, has taken the position that the nature of work undertaken by the teaching staff involves constant work both within the premises of respondent no. 1 as well



as outside, such as attending conferences both domestically, and abroad. Therefore, according to him, physical attendance system would not be viable for teaching staff who undertake work-related commitments outside the institution premises and beyond their working hours. It is highlighted that, on the other hand, the nature of work undertaken by non-teaching staff is primarily assistance rendered within the institutional premises and in accordance with working hours. Therefore, maintenance of discipline is of utmost importance.

4. Challenges to biometric attendance system have been preferred in various High Courts across the country following the recognition of the fundamental right to privacy in the decision in ***K.S. Puttaswamy v. Union of India and Ors.***¹

5. The Madras High Court, in its decision in ***Mrs. R. Annal v. State of Tamil Nadu***,² while dismissing a challenge to biometric attendance system introduced across Government schools in the State of Tamil Nadu, highlighted that the State could impose reasonable restrictions on the fundamental rights of the citizens in furtherance of the corresponding duties towards other citizens and refused to interfere with the decision.

6. The Patna High Court, in the case of ***Dr. Shyam Kumar Satpal v the National Medical Commission***,³ a case wherein the introduction of biometric attendance system in medical colleges across the State of Bihar was challenged, also upheld the same.

7. As far as the aspect of differential treatment meted out to teaching and

¹ (2019) 1 SCC 1

² 2019 SCC OnLine Mad 1272

³ CWJC-11111/2025



non-teaching staff is concerned, it is seen that the underlying reason for the same is reasonable. The difference in the nature of work undertaken by both the groups as stated in the counter affidavit filed by respondent no. 2, sufficiently qualifies the classification to be reasonable. It is settled law that differential treatment to different classes of people on the basis of 'reasonable classification' does not amount to contravention of the fundamental right to equality enshrined under Article 14 of the Constitution. Reference may be made to the decision of the Supreme Court in the ***State of West Bengal v. Anwar Ali Sarkar***.⁴

8. Therefore, it is seen that the impugned decision is neither arbitrary nor discriminatory. Accordingly, the instant petition stands dismissed.

PURUSHAINDRA KUMAR KAURAV, J

JANUARY 20, 2026
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⁴ SCR 284 [1952]