



2026:DHC:463-DB



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

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Judgment reserved on: 08.01.2026

Judgment pronounced on: 20.01.2026

Judgment uploaded on: 20.01.2026

+ W.P.(C) 9163/2018, CM APPL. 35328/2018 and CM APPL. 13817/2022

SUNIL KUMAR TIWARI AND ORS.Petitioners

Through: Mr. Kumar Rajesh Singh & Ms. Punam Singh, Advs. (M: 9811013515)

versus

GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mrs. Avnish Ahlawat, Standing Counsel-GNCTD (Services), Mr. Uday Singh Ahlawat, Mrs. Tania Ahlawat, Mr. Nitesh Kumar Singh, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advs. for R-1/GNCTD (M: 9313964463)

Mr. B.S. Rawat, CI/DTTE for R-2 (M: 9868747374)

Ms. Pearl Sharma, Adv. for R-3/AICTE (M: 9810961327)

+ W.P.(C) 1696/2019

RAGINI GUPTA & ORS.Petitioners

Through: Ms. Purnima Jain, Mr. Awadesh Kumar, & Mr. Madhur, Advs. (M: 9873211671)

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

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Through: Mrs. Avnish Ahlawat, Standing Counsel-GNCTD (Services), Mr. Uday Singh Ahlawat, Mrs. Tania Ahlawat, Mr. Nitesh Kumar Singh, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advs. for R-1/GNCTD (M: 9313964463)
Mr. B.S. Rawat, CI/DTTE for R-2 (M: 9868747374)
Ms. Pearl Sharma, Adv. for R-3/AICTE (M: 9810961327)

+ W.P.(C) 2446/2019
SHAHEEDA BEGUM QURESHI & ORS.Petitioners

Through: Ms. Purnima Jain, Mr. Awadesh Kumar, & Mr. Madhur, Advs. (M: 9873211671)

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Mrs. Avnish Ahlawat, Standing Counsel-GNCTD (Services), Mr. Uday Singh Ahlawat, Mrs. Tania Ahlawat, Mr. Nitesh Kumar Singh, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advs. for R-1/GNCTD (M: 9313964463)
Mr. B.S. Rawat, CI/DTTE for R-2 (M: 9868747374)
Ms. Pearl Sharma, Adv. for R-3/AICTE (M: 9810961327)

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE AMIT MAHAJAN

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JUDGMENT

ANIL KSHETARPAL, J.

1. The present Writ Petitions, preferred by the Petitioners, assail the correctness of common judgment dated 20.07.2018 in W.P.(C) 9163/2018 and W.P.(C) 2446/2019 as well as judgment dated 27.07.2018 in W.P.(C) 1696/2019 [hereinafter referred to as 'Impugned Orders'] passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as the 'Tribunal'], whereby Original Applications bearing O.A. No. 3545/2017 and O.A. No. 4128/2018 were dismissed.

2. Since the Writ Petitions arise out of a similar set of facts, involve identical questions of law, and assail the aforesaid common Impugned Orders, they are being heard together and are disposed of by this common judgment.

3. The Petitioners were appointed as Lecturers by way of direct recruitment during the period between the years 1989 and 1999 in various Government Polytechnics/Institutions under the Government of National Capital Territory of Delhi. Over the years, they earned career advancements and are presently working as Lecturers (Selection Grade). It is not in dispute that the Petitioners have been placed in Selection Grade/Stage-IV and are drawing pay in the pay band of Rs.37,400-67,000/- with Academic Grade Pay (AGP) of Rs.9,000/-. Admittedly, the Petitioners do not possess a Ph.D. degree.

4. The grievance of the Petitioners arises on account of the fact that certain Lecturers, including private Respondents No.4 and 5, who

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are stated to be junior to the Petitioners in service but who possess a Ph.D. qualification, have been granted the higher AGP of Rs.10,000/-. The Petitioners, on the other hand, being non-Ph.D. holders, continue to draw AGP of Rs.9,000/-. According to the Petitioners, the prescription of Ph.D. as an essential eligibility condition for placement in AGP of Rs.10,000/- is arbitrary, discriminatory, and violative of Articles 14 and 16 of the Constitution of India.

5. Consequently, the issue which arises for consideration in these Writ Petitions is whether the prescription of a Ph.D. degree as an eligibility criterion for consideration of Lecturers (Selection Grade/Stage-IV), pay band of Rs.37,400-67,000/- with AGP of Rs.9,000/-, for grant of AGP of Rs.10,000/- is arbitrary, discriminatory, or otherwise illegal under Articles 14 and 16 of the Constitution of India?

FACTUAL MATRIX

6. To appreciate the controversy involved in these Writ Petitions, it is necessary to briefly notice the relevant facts as emerging from the record.

7. The All India Council for Technical Education [hereinafter referred to as 'AICTE'] is a statutory body, initially constituted in the year 1945 as an Advisory Body to the Government of India. It was subsequently accorded statutory status under the All India Council for Technical Education Act, 1987 [hereinafter referred to as 'AICTE Act']. AICTE derives its powers and functions from Section 10 of the



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AICTE Act, which, *inter alia*, empowers it to lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality of instruction, assessment, and examinations. For convenience, the same reads as under:-

“ 10. *Functions of the Council.* (1) *It shall be the duty of the Council to take all such steps as it may think fit for ensuring coordinated and integrated development of technical education and maintenance of standards and for the purposes of performing its functions under this Act, the Council may—*

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(i) lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations;"

8. In exercise of its statutory powers, AICTE prescribes the qualifications, service conditions, and pay scales for teachers in technical institutions, which include Lecturers, Assistant Professors, Associate Professors, and Professors in Engineering and other technical colleges. Pursuant thereto, AICTE issued the AICTE (Pay Scales, Service Conditions and Qualifications for the Teachers and Other Academic Staff in Technical Institutions (Diploma)) Regulations, 2010, *vide* Notification dated 05.03.2010. The same reads as under:-

**" ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(PAY SCALES, SERVICE CONDITIONS AND QUALIFICATIONS
FOR THE TEACHERS AND OTHER ACADEMIC STAFF IN
TECHNICAL INSTITUTIONS (DIPLOMA) REGULATIONS 2010**

NOTIFICATION

New Delhi the 5th March, 2010

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F.No.37-3/Legal/2010-In exercise of the powers conferred under sub-section (1) of section 23 read with section 10 (i) and (v) of the All India Council for Technical Education, 1987 (52 of 1987) the All India Council for Technical Education makes the following Regulations:-

1. Short Title, Application and Commencement:

1.1 These Regulations may be called the All India Council for Technical Education (Pay Scales, Service Conditions and Qualifications For The Teachers And Other Academic Staff In Technical Institutions (diploma)) Regulations, 2010.

1.2 They shall apply to technical institutions conducting technical education and such other courses / Programs and areas as notified by the Council from time to time.

1.3 They shall come into force with effect from the date of their publication in the Official Gazette.

General

(i) There shall be designations in respect of teachers in Polytechnics, namely, Lecturer, Senior Lecturer, and Head of the Department and Workshop Superintendent.

(ii) The pay of teachers and equivalent positions in Polytechnics shall be fixed according to their designations in two pay bands of Rs. 15600-39100 and Rs. 37400-67000 with appropriate "Academic Grade Pay" (AGP in short). Each Pay Band shall have different stages of Academic Grade Pay which shall ensure that teachers and other equivalent cadres covered under this Scheme, subject to other conditions of eligibility being satisfied have several opportunities for upward movement during their career.

Revised Pay Scales, Service conditions and Career Advancement Scheme for teachers and equivalent positions:

The pay structure for different categories of teachers and equivalent positions shall be as indicated below:

(a) Lecturer in Polytechnics

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(ix) Lecturers with completed service of 5 years with the AGP of Rs. 7000 shall be eligible, subject to other requirements laid down by the AICTE to move up to the AGP of Rs. 8000.



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(x) Incumbent Lecturers (Selection Grade) who have completed 3 years in the pre-revised pay scale of Rs. 12000-18300 on 1.1.2006 shall be placed in Pay Band of Rs. 37400-67000 with AGP Pay of Rs. 9000 and shall be continued to be designated as Lecturers (Selection Grade)

(xi) Incumbent Lecturers (Selection Grade) who had not completed three years in the pay scale of Rs. 12000-18300 on 1.1.2006 shall be placed at the appropriate stage in the Pay Band of Rs. 15600-39100 with AGP of Rs. 8000 till they complete 3 years of service in the grade of Lecturer (Selection Grade), and thereafter shall be placed in the higher Pay Band of Rs.37400-67000 and accordingly designated as Lecturers (Selection Grade)

(xii) Lecturers (Selection Grade), completing 3 years of teaching with the AGP of Rs. 8000 shall be eligible, subject to other conditions, as may be prescribed by AICTE, to move to the Pay Band of Rs. 37400-67000 with AGP of Rs. 9000.

xiii) Posts of HOD shall be in the Pay Band of Rs. 37400-67000, with AGP of Rs.9000. Directly recruited HOD shall be placed in the Pay Band of Rs. 37400-67000 with an AGP of Rs. 9000, at the appropriate stage in the Pay Band in terms of the conditions of appointment.

xiv) Head of the Department (HOD), completing 3 years of service in the AGP of Rs. 9000 and possessing a Ph.D. degree in the relevant discipline shall be eligible, subject to other conditions of academic performance as laid down by the AICTE, shall be placed in Rs.37400-67000 with AGP of Rs. 10000.

(xv) For initial direct recruitment at the level of Lecturers, HOD and Principal, the eligibility conditions in respect of academic and research requirements shall be as may be or have been prescribed by the AICTE, through Regulations.

(xvi) All advancements to higher grade pays in various cadres will be effected subject to completion of two AICTE approved refresher programs of not less than two weeks duration each and two one week each TEQIP sponsored programs".

9. Subsequently, AICTE, vide Notification dated 08.11.2012, issued the AICTE (Career Advancement Scheme for the Teachers and Other Academic Staff in Technical Institutions) (Diploma)

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Regulations, 2012, providing detailed provisions for promotion under the Career Advancement Scheme (CAS). The same reads as under:-

"ALL INDIA COUNCIL FOR TECHNICAL EDUCATION

NOTIFICATION

New Delhi, the 8th November, 2012

All India Council for Technical Education (Career Advancement Scheme for the Teachers and other Academic Staff in Technical Institutions) (Diploma) Regulations, 2012

F. No. 37-3/Legal/AICTE/2012.— In exercise of its powers conferred under sub-section (I) of section 23 read with Section 10(i) and (v) of the AI India Council for Technical Education Act, 1987 (52 of 1987), the All India Council for Technical Education makes the following Regulations;

SHORT TITLE, APPLICATION AND COMMENCEMENT

1.1 These Regulations may be called the All India Council for Technical Education (Career Advancement Scheme (CAS) for the Teachers and Other Academic Staff in Technical Institutions) (Degree) Regulations, 2012.

1.2 They shall apply to all technical institutions approved by the AICTE imparting technical education and such other courses/Programs and areas as notified by the AICTE from time to time.

1.3 They shall come into force with effect from the date of their publication in the Official Gazette.

Provided that in the event, any candidate becomes eligible for promotion under Career Advancement Scheme in terms of these Regulations on or after 5th March, 2010, the promotion of such a candidate shall be governed by the provisions of these Regulations.

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STAGES OF PROMOTION UNDER CAREER ADVANCEMENT SCHEME OF INCUMBENT AND NEWLY APPOINTED LECTURER:

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3.8 Lecturer completing three years of teaching in the grade of Rs.7000 (stage 3) shall be eligible, subject to the qualifying conditions and the API based PBAS requirements prescribed by these Regulations, to move to the Pay Band of Rs.37400-67000 with next higher grade of Rs.8000 (stage 4) and to be designated as Lecturer (Selection Grade). However those joining the Service after 5th March 2010 shall have also earned Ph. D in addition to above mentioned requirements to move in the stage 4.

3.9 Lecturer (Senior Scale) completing three years of service in stage 3 and possessing a Ph.D. Degree in the relevant discipline shall be eligible to be appointed and designated as Lecturer (Selection Grade) and be placed in the next higher grade of Rs.9000 (stage 4) subject to following:

- (a) satisfying the required credit points as per API based PBAS requirements as provided in Tables of Appendix 1; and
- (b) an assessment by a duly constituted selection committee as suggested for the direct recruitment of Head of Department"

10. On 04.01.2026, AICTE issued the Clarification on certain issues/anomalies pertaining to Qualifications, Pay Scales, Service Conditions, Career Advancement Schemes (CAS) etc. for Teachers and other Academic Staff of Technical Institution (Degree/Diploma), 2016. The same reads as under:-

**"ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
NOTIFICATION**

New Delhi, the 4th January 2016

**[CLARIFICATIONS ON CERTAIN ISSUES/ ANOMALIES
PERTAINING TO QUALIFICATIONS, PAY SCALES, SERVICE
CONDITIONS, CAREER ADVANCEMENT SCHEMES (CAS) etc.
FOR TEACHERS AND OTHER ACADEMIC STAFF OF
TECHNICAL INSTITUTIONS (DEGREE/DIPLOMA)]**

F. No. 27/RIFD/Pay Scale/01/2013-14.—In exercise of the powers conferred under sub-Section (i) of Section 23 read with Section 10 (i) and (v) of the All India Council for Technical Education Act, 1987 (52 of 1987), the All India Council for Technical Education makes the following Regulations:-

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**I. Short title, Applications and Commencement:**

(a) *These Regulations may be called All India Council for Technical Education (clarifications on certain issues/anomalies pertaining to Qualifications, Pay Scales, Service Conditions, Career Advancement Schemes (CAS) etc. for Teachers and other Academic Staff of Technical Institutions (Degree/Diploma)), 2016.*

(b) *These shall apply to technical institutions conducting technical educations and such other courses/ programs and area notified by the Council from time to time.*

II. General

AICTE has received several representations seeking clarifications on certain issues arising out of implementation of AICTE Regulations No. 37-3/ Legal/AICTE/2010 dated 05th March 2010 on revised Pay Scales, Service Conditions and Qualifications for the Teachers and other Academic Staff in Technical Institutions (Degree & Diploma) Regulations, 2010 (here in after referred as AICTE Regulations, 2010) and No. 37-3/ Legal/AICTE/2012 dated 8th Nov. 2012 on Career Advancement Scheme for the Teachers and other Academic Staff in Technical Institutions (Degree & Diploma) Regulations, 2012 (here in after referred to as AICTE Regulations, 2012). Some of the issues raised from the AICTE previous Notifications have also been included.

Clarifications on certain issues/ anomalies pertaining to Qualifications, Pay Scales, Service conditions. Career Advancement Schemes (CAS) etc. for Teachers and Other Academic Staff of Technical Institutions (Degree/Diploma)

The clarifications on certain issues of teachers and equivalent positions are given below:

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CORRIGENDUM IN AICTE REGULATIONS, 2012 (DIPLOMA) IN RESPECT OF PARA-3 AND TABLE 11 (A)

***3. Stage of Promotion Under Career Advancement Scheme of Incumbent and Newly Appointed Lecturer :
Para- 3 of AICTE Regulations, 2012 (Diploma)***

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3.8 Lecturer (Selection Grade) completing three years of teaching in the grade of Rs.8000 (stage 3) shall be eligible subject to the qualifying conditions and the API based PBAS requirements prescribed by these Regulations, to move to the Pay Band of Rs.37400-67000 with next higher grade of Rs.9000 (stage 4) and to be re-designated as Lecturer (Selection Grade). However, those joining the Service after 5th March 2010 shall have also earned Ph. D in addition to above mentioned requirements to move to the stage 4 subject to following.

(a) Satisfying the required credit points as per API based PBAS requirements as provided in Tables of Appendix 1 and

(b) An assessment by a duly constituted Selection Committee as suggested for the direct recruitment of Head of Department.

3.9 Head of the Department (HOD)/Lecturer (Selection Grade), completing 3 years of service in the AGP of Rs.9000 and possessing a Ph.D Degree in the relevant discipline shall be eligible, subject to other conditions of academic performance as laid down by the AICTE, shall be placed in Rs. 37400-67000 with AGP of Rs. 10000 (stage 5)".

11. The Petitioners, appointed as Lecturers between 1989 and 1999 in various Government Polytechnics under the Government of NCT of Delhi, have earned career advancements and are presently working as Lecturers (Selection Grade) with AGP Rs.9,000. They do not possess Ph.D. qualifications. Their grievance arises from the fact that certain junior Lecturers, including private Respondents No.4 and 5, possessing Ph.D. qualifications, have been granted AGP Rs.10,000, whereas the Petitioners, being non-Ph.D. holders, were excluded.

12. The Petitioners approached the Tribunal, challenging the implementation of Clause 3.9 of the AICTE Clarification dated 04.01.2016, seeking placement in Academic Grade Pay of Rs.10,000 on par with Lecturers in Selection Grade who possess a Ph.D. qualification. The Tribunal, after considering the matter, dismissed

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their Original Applications. Aggrieved by the Impugned Order, the Petitioners have filed the present Writ Petitions before this Court.

CONTENTIONS OF THE PARTIES

13. Learned counsel representing the Petitioners submitted that the Notification dated 05.03.2010 (AICTE Pay Scales, Service Conditions and Qualifications for the Teachers and Other Academic Staff in Technical Institutions (Diploma) Regulations, 2010), specifically Clauses (xii) and (xiv) provided that all Lecturers (Selection Grade) who had completed three years of service in Stage-III were entitled to be considered for placement in the pay band of Rs.37,400-67,000 with Academic Grade Pay of Rs.9,000. It was pointed out that under these Regulations, only the Head of the Department (HOD) who had completed three years of service in the AGP of Rs.9,000 and possessed a Ph.D. degree in the relevant discipline was eligible to be placed in the AGP of Rs.10,000. Learned counsel emphasized that the subsequent Regulations of 2012 (AICTE Career Advancement Scheme for Teachers and Other Academic Staff) similarly made no distinction between Ph.D. and non-Ph.D. Lecturers for advancement to AGP of Rs.9,000. However, Clause 3.9 of the Clarification dated 04.01.2016 introduced such a distinction, which, according to the Petitioners, lacks any rational connection with the objectives of the Regulations and creates an arbitrary classification between Lecturers who possess a Ph.D. and those who do not.

14. It was further contended that Ph.D. was not an essential qualification for appointment to the post of Lecturer at the time when



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the Petitioners were recruited. Therefore, the differentiation made by Clause 3.9 of the 2016 Clarification in granting AGP of Rs.10,000 solely to Ph.D. holders, while excluding non-Ph.D. Lecturers from the same benefit, is arbitrary, discriminatory, and contrary to the principles of equality enshrined under Articles 14 and 16 of the Constitution of India. Reliance was placed upon the judgment dated 28.01.2025 passed by the Division Bench of this Court in ***Ashok Kumar vs. Government of NCT of Delhi & Ors.***, 2025:DHC:621-DB, wherein it was held that a clarification issued by an expert/statutory authority cannot be permitted to affect vested rights retrospectively. If a clarification has the effect of modifying eligibility conditions, such a clarification cannot be applied to divest rights that have already accrued under the earlier regulatory dispensation.

15. *Per contra*, learned counsel representing the Respondents contended that there is no discrimination in the treatment of Lecturers, as the grant of AGP is based on academic standards and qualifications determined by the statutory expert body, namely AICTE. It was argued that the differentiation made in Clause 3.9 of the 2016 Clarification is not arbitrary but reflects the AICTE's considered determination that a Ph.D. represents a higher level of academic attainment, which justifies placement in the AGP of Rs.10,000. Learned counsel emphasized that the law itself recognizes distinct categories of Lecturers, namely those possessing a Ph.D. and those without, and that these distinctions fall within the statutory discretion of AICTE in prescribing pay and promotion criteria. Reliance was placed upon the judgment in ***All India Shri Shivaji Memorial Society***



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vs. State of Maharashtra (2025) 6 SCC 605, wherein the Supreme Court reiterated that while courts have the power of judicial review, they must be slow and cautious in interfering with academic standards and qualifications prescribed by expert statutory bodies. Judicial review in such cases is limited and will intervene only where the prescribed condition is proven to be arbitrary, irrational, illegal, or without nexus to the object of the statute.

ANALYSIS & FINDINGS

16. This Court has carefully considered the submissions advanced on behalf of the parties and perused the material on record, including the relevant AICTE Regulations, the Clarification dated 04.01.2016, and the case law relied upon by both sides.

17. At the outset, it is noted that the matter primarily involves the exercise of statutory discretion by an expert body, AICTE, in prescribing qualifications and career advancement criteria for teachers in technical institutions. The issue is squarely covered by the judgment of the Supreme Court in *All India Shri Shivaji Memorial Society* (supra), wherein the Court recognized that distinctions between teachers possessing Ph.D. qualifications and those without, for purposes of pay and career progression, fall within the domain of the statutory expert body, and courts should exercise caution before interfering in such matters.

18. It is an undisputed fact that, prior to 15.03.2000, a Ph.D. was not an essential or mandatory qualification for appointment as Lecturers or Assistant Professors in technical institutions. The private



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Respondents, though junior in service to the Petitioners, possessed a Ph.D. The Clarification dated 04.01.2016 introduced a distinction between Lecturers (Selection Grade/Grade-IV) with Ph.D. and those without, for the purpose of grant of Academic Grade Pay of Rs.10,000. The question arises whether such a distinction is arbitrary, discriminatory, or violative of Articles 14 and 16 of the Constitution of India.

19. The original AICTE Regulations of 2010, as well as the Career Advancement Scheme Regulations of 2012, made no distinction between Lecturers with or without a Ph.D. qualification for the purpose of placement in AGP of Rs.9,000. However, the Clarification of 2016 expressly introduced such a distinction. The rationale, as submitted by the Respondents, is to encourage higher academic qualifications among teachers, thereby enhancing academic standards and the quality of technical education. It is well-settled that courts must be slow to interfere with decisions taken by expert statutory bodies in academic matters, including qualifications for appointment, pay, promotion, or entitlement to higher scales, unless such actions are shown to be arbitrary, mala fide, or without nexus to the statutory object.

20. In *AICTE vs. Surender Kumar Dhawan*, (2009) 11 SCC 726, the Supreme Court observed that courts are neither equipped nor possess the academic or technical background to substitute themselves in place of statutory experts in matters relating to technical education. Applying this principle to the present case, the prescription of Ph.D. qualification for Lecturers working in Selection Grade/Grade-IV for

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grant of AGP of Rs.10,000 is intended to achieve a legitimate objective, namely, to provide better quality education to students, on the assumption that higher-qualified teachers are better equipped to impart academic knowledge effectively. Consequently, such prescription cannot be held to be illegal, arbitrary, or discriminatory.

21. The measure is also intended as an incentive to encourage teachers to pursue higher qualifications. The law itself recognizes distinct categories of teachers, those with Ph.D. qualifications and those without, and permits different entitlements accordingly. In fact, the Supreme Court in *All India Shri Shivaji Memorial Society* (supra) upheld a similar distinction in the context of Assistant Professors, validating the expert body's discretion to prescribe academic qualifications for advancement in pay and career progression. The present case is materially similar, the only difference being that the Petitioners are Lecturers (Selection Grade) while the Respondents in the cited case were Assistant Professors with Ph.D.

22. The judgment in *Ashok Kumar* (supra), is distinguishable. In that case, the controversy related to the Petitioners' entitlement to be appointed as Lecturers (Selection Grade) in the Department of Training and Technical Education based on the qualifications they possessed at the time of promotion. The Court there examined whether the educational qualifications held by the Petitioners entitled them to promotion. By contrast, the present case concerns the grant of advance Academic Grade Pay of Rs.10,000 under the Clarification dated 04.01.2016. Therefore, the principles laid down in *Ashok*



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Kumar (supra) regarding vested rights and retrospective impact of clarifications are not directly applicable to the issue before this Court.

23. In view of the foregoing, it is clear that the distinction introduced by Clause 3.9 of the Clarification dated 04.01.2016 is rationally connected to the objective of encouraging higher academic qualifications and improving educational standards. The differentiation between Ph.D. and non-Ph.D. Lecturers for purposes of grant of AGP of Rs.10,000 is neither arbitrary nor violative of Articles 14 and 16 of the Constitution of India.

CONCLUSION & OPEARTIVE DIRECTIONS

24. For the reasons recorded hereinabove, this Court finds no merit in the challenge laid by the Petitioners to Clause 3.9 of the Clarification dated 04.01.2016 issued by the AICTE. The said provision, which grants Academic Grade Pay of Rs.10,000 to Lecturers (Selection Grade) / Heads of Department possessing a Ph.D. qualification upon completion of the prescribed service, is founded on a rational classification and bears a clear nexus with the object of enhancing academic standards in technical education.

25. The differentiation between Lecturers possessing a Ph.D. qualification and those who do not cannot be said to be arbitrary, discriminatory, or violative of Articles 14 and 16 of the Constitution of India. The prescription of higher academic qualifications for advancement in pay and career progression is a matter falling squarely within the domain of the statutory expert body, namely AICTE, and



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does not warrant interference in exercise of the extraordinary writ jurisdiction of this Court.

26. This Court is also of the view that the Impugned Orders passed by the Tribunal do not suffer from any infirmity, illegality, or perversity warranting interference. The Tribunal has correctly appreciated the statutory framework governing the field and has applied the settled principles of law governing judicial review in academic and policy matters.

27. Consequently, all the Writ Petitions, namely W.P.(C) 9163/2018, W.P.(C) 1696/2019, and W.P.(C) 2446/2019, being devoid of merit, are hereby dismissed.

28. All pending applications also stand dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

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