



2026:AHC-LKO:7101

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 4322 of 2024

Dharmendra Kumar Shukla

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Mod Gov. Of India New Delhi
And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amitesh Pratap Singh
Counsel for Respondent(s)	:	A.S.G.I., Varun Pandey

A.F.R

Court No. - 7

HON'BLE MANISH MATHUR, J.

1. Heard Mr. Aakar Srivastava learned counsel for petitioner and Ms. Shivangi Verma Advocate holding brief on behalf of Mr. Varun Pandey learned counsel for opposite parties.

2. Petition has been filed seeking a direction to concerned authority to reconsider petitioner's candidature for recruitment on the post of RTJCO and conduct a fair evaluation with regard to his qualification.

3. It is submitted that an advertisement for recruitment on the aforesaid post was issued in recruitment year 2023-24 in which petitioner applied for the post of Religious Teacher Junior Commissioned Officer (RTJCO). He successfully cleared the written examination whereafter he also qualified the physical endurance test as well as other medical criteria.

4. It is submitted that educational qualification required for the said post has been indicated in the advertisement as RT Pandit and Pandit (Gorkha) for Gorkha Regiment Hindu candidate with Shastri/Acharya in Sanskrit from UGC recognized university. In addition, it was prescribed that an individual should have a qualification of 'Karm kand' as one of the main/course subjects during Shastri/Acharya or one year diploma in 'Karm kand'.

5. It is submitted that petitioner possesses a diploma in 'Karm kand' but his candidature has apparently not been considered in view of the fact that

opposite parties do not admit any equivalence of a degree of M.A. Sanskrit, which is the qualification of petitioner, with the degree of Shastri/Acharya in Sanskrit.

6. Learned counsel for petitioner has adverted to a notification dated 5th July 2014 published in Gazette of India issued by University Grants Commission regarding specification of degrees. It is submitted that the broad discipline-wise nomenclatures of degrees at all levels of higher education has thereafter been restructured with effect from the date of notification as required to be issued by universities governed by UGC regulations. He has specifically adverted to item 120 of the aforesaid notification to indicate that the degree of Acharya has been restructured as a Master's degree in Sanskrit.

7. Learned counsel has also placed reliance on a judgment rendered by Supreme Court in the case of Rampalit Vyakaran Acharya and others versus Punjab University Chandigar and another, AIR 1975 Supreme Court 2478 to buttress his submission that the aforesaid judgment has placed reliance on notification dated 23rd January 1964 issued by Government of India indicating equivalence of the degree of Acharya with M.A. in Sanskrit.

8. Learned counsel for opposite parties on the basis of counter-affidavit has refuted submissions advanced by learned counsel for petitioner with submission that it is manifestly evident that petitioner does not possess requisite educational qualification prescribed for the post of RTJCO since admittedly he holds the degree of M.A. in Sanskrit along with diploma in Karm Kand, which is neither equivalent nor permissible substitute to the qualification of Shashtri/Acharya in Sanskrit. Learned counsel also submits that qualifications prescribed in an advertisement are sacrosanct and the notification dated 5th July 2014 in fact does not grant any equivalence of the degree of Acharya with that of M.A. in Sanskrit since the aforesaid restructuring is with regard to Sanskrit-sounding degrees.

9. Learned Counsel has placed reliance on judgments rendered by Supreme Court in the case of Shifana P.S. versus State of Kerala and Others, Civil Appeal No. 4468 of 2013; Zahoor Ahmad Rather and others versus Sheikh Imtiyaz Ahmed and others, Civil Appeal No. 11853-11854 of 2018 and other connected matters as well as Division Bench of this court in the case of Saurabh Saxena versus Union of India, Special Appeal Defective No. 10 of 2025.

10. Upon consideration of submissions advanced by learned counsel for parties and perusal of material and record, it is thus evident that for purposes of recruitment to the post of RTJCO, the qualification required is as follows:-

*"RT Pandit and Pandit (Gorkha) for Gorkha Regiment
Hindu Candidate with Shastri/ Acharya in Sanskrit
from UGC recognized University. In addition,
individual should have under mentioned religious
qualification:-*

*'Karam Kand' as one of the main/core subject during
Shastri/ Acharya.*

OR

One year Diploma in 'Karam Kand'.

11. It is admitted by parties that except for degree of Shastri/Acharya in Sanskrit from UGC-recognized university, petitioner is otherwise qualified for the aforesaid post.

12. The dispute therefore pertains to consideration of petitioner's candidature for appointment as religious teacher in the Army in case his degree of MA in Sanskrit can be held to be equivalent to that of the degree of Acharya in Sanskrit.

13. From the aspects as indicated herein above, it is also evident that notification issued by the University Grants Commission, dated 5th July 2014 published in Gazette of India pertains to specification of degrees which is a broad discipline-wise nomenclature of degrees at all levels of higher education which are required to be taken into account for purposes of grant of such degrees by universities affiliated to UGC. The notification specifies that the nomenclature of degrees that were then in vogue in some institutions were found to be neither conventional nor reflective of career innovation in knowledge and were therefore de-specified and that the same would be restructured / changed.

14. It is in pursuance of said recommendation that the notification was issued. Item 120 of the aforesaid notification dated 5th July 2014 pertains to Sanskrit-sounding degrees and indicates the specified degree of Acharya being restructured as a masters degree with a minimum duration course of two years and entry qualification of Bachelor.

15. The aforesaid aspect clearly indicates that so far as grant of degrees by universities affiliated to UGC are concerned, the specified degree of Acharya stood restructured as a Masters degree in 2014.

16. The aforementioned aspect pertaining to equivalence of a degree of Acharya with that of M.A. has been dealt with by Supreme Court in the case of Rampalit Vyakaran Acharya (supra) in the following manner:-

"8. That Acharya is equivalent to M. A. is clear from the letter No. F. 46-1/63-SU dated January 23, 1964, from the Government of India, Ministry of Education to the Education Secretaries of all the State Governments/Union Territory Governments/Administrations and Registrars of all Universities on the subject of equivalence of Sanskrit Examinations as given in an enclosed statement. Entry 21 in column I of that statement mentions the Punjab University, Chandigarh, where Shastri is shown as equivalent to B.A. and Acharya to M.A. It is significant to note from the letter of the Ministry of Education that Government is keen regarding development of Sanskrit in the country and it has impressed upon all the Universities, 'that they should employ at least one Traditional Sanskrit Scholar and the scholar so employed should enjoy the same status and pay-scales as his counterparts trained on modern lines with equivalent degrees'. It goes on further to say 'that the employment of traditional Sanskrit Pandits in High/Higher Secondary Schools/Colleges should also be given the due encouragement. Teachers so employed should be treated on par with other teachers possessing equivalent qualifications of the general educational set up'."

17. In view of aforesaid factors as discussed herein above, it is thus evident that subsequent to the notification dated 5th July 2014, the specified degree of Acharya has now been restructured and renamed as a Master Degree of Sanskrit to be issued by all universities affiliated to the UGC.

18. Even prior thereto, in terms of notification dated 23rd January 1964, issued by Government of India, a degree of Acharya has been held equivalent to M.A. as clearly enunciated by the Supreme Court in the case of Rampalit Vyakaran Acharya (supra).

19. So far as submission of learned counsel for opposite parties is concerned, in paragraph 14 of the counter affidavit, it has been admitted that petitioner holds a degree of M.A., Sanskrit along with diploma of 'Karm kand'. However the aforesaid degree of M.A. in Sanskrit has not been held to be equivalent nor a permissible substitute for the qualification of Shastri/Acharya in Sanskrit.

20. In view of discussion made herein above, it is thus evident that even prior to 2014, in terms of notification dated 23rd January 1964 issued by Central Government, the degree of Acharya was considered as equivalent to that of M.A. in Sanskrit and subsequent to 5th July 2014, the said degree of Acharya has been restructured as M.A., Sanskrit. In such circumstances, there is no question of not considering the degree of M.A., Sanskrit as equivalent or restructured with regard to the degree of Acharya.

21. With regard to the case law cited by learned counsel for opposite parties in the case of Shifana P.S. (supra), the Supreme Court has clearly enunciated that the issue of equivalence cannot be gone into either by the Selection Committee or the Courts while exercising power of judicial review and that the said domain is exclusive to experts/educational institutions authorized in that regard.

22. Obviously the aforesaid judgment is inapplicable in the present facts and circumstances where equivalence and restructuring has been done by educational board itself.

23. So far as the case of Zahoor Ahmad Rather (supra) is concerned, it has been enunciated that in the absence of any rule, it would be impermissible to draw an inference that a higher qualification necessarily pre-supposes the acquisition of another, albeit lower, qualification and that the prescription of qualifications for post is a matter of recruitment policy which is the State as employer is entitled to prescribe as a condition of eligibility.

24. Hereagain the aspect of equivalence as in the present case, having already been indicated by UGC and by the Government of India as an

employer, clearly indicates that the aforesaid judgment would be inapplicable in the present facts and circumstances of the case.

25. In the considered opinion of this Court, the aforesaid judgment would also be inapplicable in the present facts and circumstances with reiteration that since in the present case, equivalence or restructuring of degree of Acharya with that of M.A. in Sanskrit has already been notified by the employer being the Government of India and the expert educational body being UGC and therefore there is no occasion for any judicial review of that aspect.

26. In view of discussion made herein above, this Court is in agreement with submissions as made by learned counsel for petitioner.

27. Therefore a writ in the nature of Mandamus is issued commanding the opposite parties to reconsider petitioner's candidature for recruitment/appointment to the post of RTJCO in terms of advertisement for the recruitment year 2023-24 in view of observations made herein above considering his degree of M.A., Sanskrit degree to be of equivalence/restructured with regard to degree of Acharya.

28. Consideration with regard to same shall be made by opposite parties expeditiously within a period of eight weeks from the date a certified copy of this order is served upon the concerned authority.

29. Resultantly the petition succeeds and is allowed. Parties to bear their own costs.

January 30, 2026
prabhat

(Manish Mathur,J.)