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सत्यमेव जयते

अखिल भारतीय तकनीकी शिक्षा परिषद्
(भारत सरकार का एक सांविधिक विभाष)
(मानव संसाधन विकास मंत्रालय, भारत सरकार)
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ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(A Statutory Body of the Govt. of India)
(Ministry of Human Resource Development, Govt. of India)
Nelson Mandela Marg, Vasant Kunj, New Delhi-110070

Dr. Pradeep C. Bhaskar
Assistant Director (P&AP)

F.No. 27/P&AP/Pay/01/2020-21/213 (Oct.)
15.10.2020

To

Maj. S.M. Parashar,
General Secretary,
Association of Gazetted Officers Technical Education,
Pusa Institute of Technology (Govt. of NCT of Delhi),
Pusa, New Delhi-110012

**Sub.: Unconstitutional error in Sr. No.7 in AICTE Notification dated 20th May 2020
- reg.**

Sir,

Please refer to your letter no. AGOTE/2019/137 dated 05.10.2020 on the subject noted above.

The matter has been examined with reference to the anomaly pointed out by you in your above mentioned letter. In this connection, it is mentioned that in terms of para 3.8 of AICTE Gazette Notification dated 04.01.2016 it was made clear that to move to AGP Rs.9,000/- the requirement of Ph.D. will be necessary in respect of those faculty members who join service after 05th March 2010 which is the date of publication of 6th CPC AICTE Gazette Notification dated 05.03.2010. It is thus clear that the condition of Ph.D. for the above purpose was not mandatory for those joining service prior to 5th March 2010. Representations were received that this condition of Ph.D. should also be relaxed/ waived in respect of those faculty members also who had joined the service after 5th March 2010. In other words, the request was to dispense with the requirement of Ph.D. for all the faculty members to move to AGP Rs.9,000/- (Stage-4) irrespective of their date of joining.

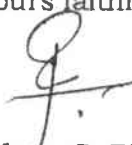
Incidentally, the above issue was considered by the experts committee set up for giving clarification on issues/anomalies in 6th CPC pertaining to qualifications, pay scales etc. and accordingly it has been clarified vide Sl. No. 7 that there will be no relaxation in the mandatory requirement for Ph.D. degree for the promotion in the grade of Rs.9,000/- w.e.f. 5th March 2010. There is no inherent contradiction between above mentioned clarification issued vide Sl. No. 7 and the provision made in para 3.8 of AICTE Gazette Notification dated

04.01.2016 both have to be read together harmoniously and the outcome of the same makes no difference. The inevitable conclusion is that no relaxation in Ph.D. can be given for those joining service after 5th March 2010 and for those who joined service prior to 5th March 2010 will continue to be moved to AGP Rs.9,000/- (Stage-4) even without earning Ph.D. provided they satisfy other requirements as mentioned in para 3.8 of Gazette Notification dated 04.01.2016.

In view of above it is quite clear that there is no ambiguity in the clarification issued vide Sl. No. 7 of AICTE Gazette Notification dated 20.05.2020 and it does not in any way override the provision which are quite explicit in para 3.8 of Annexure-II in AICTE Gazette notification dated 08.11.2012 and is still in force. The cases of faculty members who had joined service before 5th March 2010 and are otherwise eligible to move to AGP Rs.9,000/- (Stage-4) will continue to be processed as per the provisions mentioned in para 3.8 of AICTE Gazette Notification dated 04.01.2016. It may thus be concluded that Ph.D. requirement for getting AGP Rs.9,000/- is essential only for those faculty members who have joined service after 5th March 2010.

This issues with the approval of the Competent Authority.

Yours faithfully,


(Pradeep C. Bhaskar)

Copy to:

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Dy. Director (Sect. Branch)
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Training & Technical Education.
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