

**06.05.2024**  
**Sl. No.23**  
**Suman**  
**Ct.No.238.**

**WPA 11514 of 2024**

**Payel Bag**  
**Vs.**  
**The State of West Bengal and Ors.**

Mr. Pankaj Halder  
Mr. Bodhidipta Mandal  
..for the petitioners

Mr. Nilotpall Chatterjee  
..for the Indian Nursing Council

The petitioner is registered with the Madhya Pradesh Nurses Registration Council. She passed B. Sc. Nursing Course from ITM University, Gwalior. She applied for her reciprocal registration with the West Bengal Nursing Council, which was denied on the ground that she did not pass the B.Sc Nursing Course under a yearly examination system, but rather under a semester basis.

It is the stand of the West Bengal Nursing Council that by a notification dated April 8, 2019, the Indian Nursing Council revised the curriculum for B.Sc. Nursing Course and recommended that semester system be followed in B.Sc. Nursing Courses. Before the aforesaid notification dated April 8, 2019, examinations

on semester basis did not meet the guidelines issued by the Indian Nursing Council. The State also adopted the semester system examination from the academic session 2022 as per the revised curriculum for B.Sc. Nursing Courses. Therefore, the students who passed B.Sc. Nursing from other states of India before 2022 were denied reciprocal registration by the West Bengal Nursing Council.

Mr. Nilotpall Chatterjee, learned advocate appearing for the Indian Nursing Council submits that semester based mark sheets of the petitioner suggest that the petitioner's subjects are included in the scheme of the examination laid down by the Indian Nursing Council by the notification dated April 8, 2019.

I find no justification to accept the stand of the West Bengal Nursing Council as stated above. Nothing has been produced before this Court to suggest that before the notification dated April 8, 2019, issued by the Indian Nursing Council, semester based examinations were not accepted. The petitioners applied for their reciprocal registration which was rejected by an order dated March 18, 2024. The notification dated April 8, 2019, mandating the semester based examination, was operative at the time of such rejection. Since at the time of petitioner's application, semester based examination

was accepted, she could not be denied registration. Accordingly, the Registrar, West Bengal Nursing Council is directed to register the name of the petitioner within a period of three weeks from the date of communication of this order.

Accordingly, **WPA 11514 of 2024** is **disposed of**.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Kausik Chanda, J.)**