

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 4336 of 2025

Surajit Chanda

Versus

The State of West Bengal & Ors.

For the petitioner : Mr. Raghunath Chakraborty
Ms. Sabnam Sultana

For the University Mr. Biswaroop Bhattacharya
Mr. Pratik Majumder

For the State Mr. Swapan Kr. Dutta
Mr. Dipankar Dasgupta

Heard on : 19.03.2025

Judgment on : 19.03.2025

JAY SENGUPTA, J:

This is an application praying for direction upon the respondent authorities to act according to the University rules when assessment of the

internal marks to the students of all semester of BFA and MFA courses are done.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an Associate Professor of Applied Arts Department at the Rabindra Bharati University. It is true that at present, petitioner's own son is a student of BBA 5th Semester in Applied Art Department of the faculty of visual Arts at the University. He had sought clarification whether he could take their classes or evaluate any short of internal marks as a parent of the student. Since 2014, the authorities have been flouting the norms set regarding internal assessments. While the internal assessment marks are to be given by the concerned teachers, the same are being given by the Head of the Department, which is in direct violation of Regulation 7.3 of the U.G. regulations for semester system of examination under Choice Based Credit System (CBCS)- 2017. In fact, another teacher namely, Smt. Dolan Champa Ganguly (Das) has been allowed to take classes and give marks to her daughter whose also student at the University. After filing of the writ petition, the internal markings are reportedly being done by concerned teachers and not by the Head of the Department.

Learned counsel appearing on behalf of the University denies the allegations, relies on copy of an extract proceeding of meeting of Executive Council held on 30.01.2022 and a letter of the said Dr. Dolan Champa Ganguly dated 30.05.2024, copies of which were handed over to the learned counsel for the petitioner and submits as follows. The petitioner seems to have an issue with his colleague Dr. Ganguly. In this regard, Dr. Dolan

Champa Ganguly had earlier written to the Registrar of the University. So far as the issue whether teachers can take classes for their wards or do internal marking, a resolution had been taken long ago by the University. As per the proceedings of meeting of the Executive Council held on 30.11.2022, the petitioner and the said Dolan Champa Ganguly, whose children were students of the University for some courses, were included in the BOS, but excluded from the concerned examination related issues. Therefore, there is no question of them giving internal marking to their own children or to their classmates. Moreover, the University is scrupulously following the Regulations of 2017 subject to the resolution taken in respect of the special circumstances that arose because of children of some of the teachers becoming students at the University.

First, it appears that the University had already dealt with the issue of internal marking by teachers whose children would be studying in the University. There is no conflict of interest in the scheme adopted by the University.

Even as per instructions available with the petitioner, now the University authorities are ordinarily adopting the practice of the concerned teachers doing the internal marking.

Therefore, no further order need be passed in this regard.

With these observations, the writ petition is disposed of without any further order, even as to costs.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J)