

29.08.2025

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WPA No. 14690 of 2025

Parvin Sarkar & Ors.

Vs.

State of West Bengal & Ors.

Mr. Sudipta Dasgupta

Mr. Saikat Sutradhar

.....for the petitioners

Ms. Asha G. Gutgutia

..... for the NCTE

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

..... for WBCSSC

Documents as produced by the petitioners showing deposition of deficit court fees are taken on record.

The petitioners, who hold the degree of Bachelor in Education (Special Education), aspire to serve as Assistant Teachers in various schools across the State. They intend to participate in the selection process initiated by the School Service Commission (SSC) for filling up the posts of Assistant Teachers in such schools. The petitioners are required to submit their applications through the online mode.

However, in the application form uploaded by the School Service Commission (SSC), no option was provided for candidates holding the degree of Bachelor in Education (Special Education). In spite of this, the petitioners submitted their candidature and duly filled up the forms. Being apprehensive that their candidature may be cancelled on the ground that the SSC might not treat the Bachelor in Education (Special

Education) degree as equivalent to a Bachelor in Education degree, the petitioners have preferred the present writ petition.

Mr. Dasgupta, learned Advocate appearing for the petitioners, submits that a Hon'ble Division Bench of the Delhi High Court had the occasion to deal with an identical issue, wherein it was held that the degrees of Bachelor in Education and Bachelor in Education (Special Education) are to be treated as equivalent.

He further submits that against an interlocutory order passed in the present writ petition, an intra-court appeal being MAT 1070 of 2025 was preferred. However, the Hon'ble Division Bench did not enter into the merits of the issue and, by an order dated 18th July, 2025, clarified that the question of equivalence between the two degrees is to be decided by the learned Single Judge on the basis of the disclosures and materials to be placed by the respective parties in support of their contentions.

Ms. Gutgutia, learned Advocate appearing for the NCTE, submits that under the regulations framed by the National Council for Teacher Education (NCTE), both degrees are treated as equivalent.

Dr. Patra, learned Advocate representing the West Bengal School Service Commission (for short, the Commission), submits that the Commission is bound to adhere to the regulations issued by the NCTE, and since the NCTE has expressly declared the two degrees to be equivalent, such declaration is binding on the Commission.

I have been informed that the degree of Bachelor in Education is awarded by the National Council for Teacher Education (NCTE), whereas the degree of Bachelor in Education (Special Education) is awarded by the Rehabilitation Council of India (RCI). As submitted by Ms. Gutgutia, under the regulations framed by the NCTE, both degrees are treated as equivalent.

Therefore, having regard to the stand taken by the NCTE and the Commission, I am of the considered view that it is no longer necessary for this Court to judicially determine the question of equivalence between the two degrees.

As noted earlier, the petitioners have already submitted their applications for the posts. Consequently, it goes without saying that the petitioners' candidature shall be considered in accordance with law, and their applications shall not be rejected merely on the ground that they hold the degree of Bachelor in Education (Special Education) instead of Bachelor in Education.

With these observations and order, this writ petition is, thus, disposed of.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)