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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Decided on: 02.09.2025***

+ **W.P.(C) 13318/2025 & CM APPLs. 54625-54626/2025**

BABITA

.....Petitioner

Through: Mr. Anuj Aggarwal, Mr. Pradeep Kumar, Ms. Anjali Bansal, and Mr. Lovekesh Chauhan, Advocates.

versus

NATIONAL EDUCATION SOCIETY FOR TRIBAL STUDENTS & ORS.

.....Respondents

Through: Mr. Somesh Chandra Jha, Mr. Animesh Rajoriya, Advocates for R-1.
Mr. Siddhartha Shankar Ray, CGSC with Ms. Smritika Kesri, Advocate for R-2/UoI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

PRATEEK JALAN, J. (ORAL)

1. The petitioner was a candidate for appointment to the post of Trained Graduate Teacher [“TGT”] (Social Studies), pursuant to a recruitment advertisement issued by respondent No. 1 – National Education Society for Tribal Students [“NESTS”] in 2023. By way of the present petition under Article 226 of the Constitution, she challenges a communication dated 25.06.2025, whereby her candidature was rejected on the ground that she does not possess the required educational qualification for the said post.



2. The recruitment advertisement was for filling up several teaching and non-teaching posts in Eklavya Model Residential Schools [“EMRS”]. It prescribed the following essential eligibility conditions for the post of TGT (Social Studies):

“ESSENTIAL QUALIFICATION:

Four years integrated degree course of Regional College of Education of NCERT or other NCTE recognized institution in concerned subject.

Or

Bachelors Honors Degree in the concerned subject. Candidate should have studied requisite subjects for at least 2 years in the 03 years degree course

Or

Bachelor's Degree from a recognized University/Institute in concerned subject. The candidate should have studied the requisite subjects in all three years of degree course.

Note:

Post wise elective subjects and Languages in the combination of subjects are as under:

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e) For TGT (Social Studies):

(i) The candidate should have studied any of the two subjects out of the following subject combination at graduation level:

(a) History with Geography/ Economics/ Political Science

OR

(b) Geography with History/ Economics/ Political Science (in other words candidates should have studied any two subjects out of History, Geography, Economics and Political Science, in which one must be either History or Geography)

(ii) History/Geography as above should have been studied for all three years in the Graduation.

(iii) In case of Honours Degree in History the candidate should have studied Geography /Economics/Political Science in any of the two years of the course. Similarly in case of Honours degree in Geography, the candidate should have studied History/Economics/Political Science in any of the two years of the course. Candidates with B.A. (Honours)



m Economics or Political Science are not eligible for the post of TGT (Social Studies)

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And (for all TGTs)

(B) Passed the Central Teacher Eligibility Test (CTET) conducted by CBSE in accordance with the guidelines framed by the NCTE, for the purpose.

*(C) B.Ed. Degree**

**Note:*

B.Ed. degree not applicable for 04 years integrated degree course as mentioned in sub clause (C) above.¹

3. The petitioner participated in the written test held on 23.12.2023. Her name was in the shortlist, declared on 22.01.2024, and she was issued a provisional offer of appointment on 02.03.2024. However, following document verification on 15.04.2024, her candidature was rejected by communication dated 24.06.2024 on the ground that the subjects she had studied as part of her B.A. degree did not match the prescribed eligibility conditions. The key deficiency found was that she did not study “*Geography/Economics/Political Science*” as part of her B.A. degree, although she had studied Public Administration.
4. The petitioner assailed this decision first by way of W.P.(C) 10751/2024, which was disposed of on 14.05.2024, with the direction that the matter be re-examined by NESTS through an expert committee, particularly in the context of the judgment of the Supreme Court in *Rajbir Singh Dalal (Dr.) v. Chaudhari Devi Lal University*².
5. Pursuant to this direction, NESTS issued the impugned order dated 25.06.2025, which records that the matter was referred to an Expert

¹ Emphasis supplied.

² (2008) 9 SCC 284, [hereinafter “*Rajbir Singh Dalal*”].



Committee. The Expert Committee concluded that “*Political Science*” and “*Public Administration*” are distinct disciplines, and that for the post of TGT (Social Studies), “*Political Science*” is preferred, being more closely aligned with the school-level curriculum, whereas “*Public Administration*” is not considered suitable for teaching at the school level. Accordingly, NESTS declined to consider the petitioner for appointment.

6. This has brought the matter back before the Court.

7. I have heard Mr. Anuj Aggarwal, learned counsel for the petitioner, and Mr. Somesh Chandra Jha, learned counsel for NESTS.

8. The petitioner holds a Bachelor of Arts [“B.A.”] degree and a Master of Arts [“M.A.”] (History) degree from Kurukshetra University, awarded in 2009 and 2011, respectively. She also earned a Bachelor of Education [“B.Ed.”] degree in 2013 from the same University.

9. The eligibility conditions applicable to the petitioner require that she must have studied History in all three years of her B.A. degree and, in addition, one of the subjects of Geography, Economics, or Political Science. It is not in dispute that the petitioner studied History in all three years of her B.A. degree. However, controversy arises as to whether she studied a second subject as required under Clause (i)(a) of the eligibility conditions noted above. The petitioner’s B.A. marksheets, placed on record, show that apart from History, she studied “*Public Administration*” in all three years of her B.A. course (2006–2009).

10. Mr. Jha has produced before the Court, the Committee report dated 06.06.2025, on the basis of which the impugned order was passed. Although the impugned order itself contains substantial extracts from the Committee report, a copy of the report has been handed over to the Court



as well as to Mr. Aggarwal. The report is taken on record, with the consent of Mr. Aggarwal.

11. The Committee constituted by NESTS consisted of the following four members:

“Ms. Mridula Tripathi, Retd. Deputy Commissioner, NVS & Consultant, NESTS MP State EMRS Society (PG in History)

Mr. Arun Kumar Singh, Principal, EMRS Chhotemudpar, (PG in Economics)

Mrs. Kavita Nirmal, PGT Geography, EMRS Sohagpur

Mr. Om Prakash Nehra, TGT SST, EMRS Mallana.³”

12. The report of the Committee enumerates the papers studied at the undergraduate level in “*Political Science*” and “*Public Administration*”, and records as follows:

“Political Science curriculum generally covers:

- ***Foundations of Political Theory:*** Concepts like state, sovereignty, power, authority, rights, liberty, equality, and justice.
- ***Comparative Politics:*** Government systems, political institutions, and political processes in various countries.
- ***Indian Government and Politics:*** Indian Constitution, political parties, electoral system, federalism, and political institutions.
- ***International Relations:*** Foreign policy, diplomacy, global parties, and international organizations (e.g., UN, WTO).
- ***Public Administration*** (as a sub-field): Introduction to administrative theory and Indian administration.

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Public Administration curriculum generally covers:

- ***Administrative Theories:*** Classical, neo-classical, and modern theories of administration.
- ***Organizational Behaviour and Management:*** Structure, behaviour, leadership, decision-making.

³ EMRS: Eklavya Model Residential School.



- **Personnel and Financial Administration:** HR practices, budgeting, audit, and accounting in public systems.
- **Public Policy:** Formulation, implementation, and evaluation of public policy.
- **Governance and Ethics:** Transparency, accountability, and ethics in public service.
- **Indian Administration:** Structure and functioning of Indian Administrative institutions, central and state governments.”

13. The key topics studied in Civics/Political Science from classes 6-12 have thereafter been analysed, and it has been noted that “*Public Administration*” is not typically taught as a standalone subject at the school level.

14. A tabular comparison and conclusions of the Committee are reproduced as follows:

“3. Comparison of the syllabus for the two subjects, and identification of the differences in the content, which may be relevant for the post of TGT (social studies).”

Aspect	Political Science	Public Administration	Relevance for TGT (Social Studies)
Core Focus	Political theory, Democracy, Constitution, Governance	Administrative system, policy execution, management	Political science aligns better with school curriculum.
Curriculum Overlap	Topics such as governance, bureaucracy, public services	Governance, administrative reforms	Not suitable for teaching administrative aspects at school level.
Textbook Representation	Directly included in NCERT and school boards	Not useful at school level	Political science forms core content for TGT exams.
Pedagogical Use	Discusses ideology, rights participation	Discusses implementation and policy	Political science is more directly related.

Conclusion:

1. Political Science is more directly aligned with the school-level curriculum.



2. *Public Administration is not relevant at the school level.*

3. *Candidates with Political Science are better equipped to teach civics/political systems as per school syllabus.*

4. To establish conclusion whether political science and public administration are Equivalent and Interchangeable:

- ***Not Equivalent:*** While the two disciplines share overlaps, especially in areas like Indian governance and institutions, ***their academic cores differ.***

Political science is broader in scope, foundational in theory, and deals with political processes at both national and global levels.

Public administration is a sub field that focuses on machinery of governance and policy implementation.

- ***Not fully Interchangeable:*** For teaching and examination purposes, especially in school-level Social Studies or for TGT positions, ***Political Science holds greater direct relevance.***

Conclusion: For TGT (Social Studies), Political Science content is directly aligned with curriculum needs.

Overall Recommendation:

- ***For Academic and teaching purposes, Political Science and Public Administration should be treated as distinct disciplines.***
- ***For TGT (Social Studies) roles, Political Science is preferred and more aligned with the school-level curriculum.***
- ***Public Administration is not suitable for teaching post at the school level.”***

15. The deliberations of the Committee, comprising experts in the teaching of Social Studies at the school level, are, in my view, not liable to interference under Article 226 of the Constitution. The petitioner, in essence, claims equivalence between the study of Political Science and Public Administration at the B.A. level. The matter must, therefore, be examined in the context of the limited scope of judicial review in academic matters, particularly those concerning equivalence and assessment of eligibility qualifications. This principle has been laid down



by the Supreme Court, *inter alia*, in *Zahoor Ahmad Rather v. Imtiyaz Ahmad*⁴, *Unnikrishnan CV & Ors. v. Union of India & Ors.*⁵, and *Shifana P.S. v. State of Kerala & Ors.*⁶.

16. In *Zahoor Ahmad*, the Court explained the position thus:

“26. We are in respectful agreement with the interpretation which has been placed on the judgment in *Jyoti K.K. v. Kerala Public Service Commission*⁷ in the subsequent decision in *Anita*⁸. The decision in *Jyoti K.K.* turned on the provisions of Rule 10(a)(ii). Absent such a rule, it would not be permissible to draw an inference that a higher qualification necessarily presupposes the acquisition of another, albeit lower, qualification. The prescription of qualifications for a post is a matter of recruitment policy. The State as the employer is entitled to prescribe the qualifications as a condition of eligibility. It is no part of the role or function of judicial review to expand upon the ambit of the prescribed qualifications. Similarly, equivalence of a qualification is not a matter which can be determined in exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the State, as the recruiting authority, to determine. The decision in *Jyoti K.K.* turned on a specific statutory rule under which the holding of a higher qualification could presuppose the acquisition of a lower qualification. The absence of such a rule in the present case makes a crucial difference to the ultimate outcome. In this view of the matter, the Division Bench⁹ of the High Court was justified in reversing the judgment of the learned Single Judge¹⁰ and in coming to the conclusion that the appellants did not meet the prescribed qualifications. We find no error in the decision¹¹ of the Division Bench.

27. While prescribing the qualifications for a post, the State, as employer, may legitimately bear in mind several features including the nature of the job, the aptitudes requisite for the efficient discharge of duties, the functionality of a qualification and the content of the course of studies which leads up to the acquisition of a qualification. The State is entrusted with the authority to assess the needs of its public services. Exigencies of administration, it is trite law,

⁴ (2019) 2 SCC 404, [hereinafter, “*Zahoor Ahmad*”].

⁵ (2023) 18 SCC 546, [hereinafter, “*Unnikrishnan CV*”].

⁶ (2024) 8 SCC 309, [hereinafter, “*Shifana P.S.*”].

⁷ *Jyoti K.K. v. Kerala Public Service Commission*, (2010) 15 SCC 596, [hereinafter, “*Jyoti K.K.*”].

⁸ *State of Punjab v. Anita*, (2015) 2 SCC 170.

⁹ *Imtiyaz Ahmad v. Zahoor Ahmad Rather*, LPA (SW) 135/2017, decided on 12.10.2017 (J&K).

¹⁰ *Zahoor Ahmad Rather v. State of J&K*, 2017 SCC OnLine J&K 936.

¹¹ *Supra* (Note 9).



*fall within the domain of administrative decision-making. The State as a public employer may well take into account social perspectives that require the creation of job opportunities across the societal structure. **All these are essentially matters of policy. Judicial review must tread warily.** That is why the decision in *Jyoti K.K.* must be understood in the context of a specific statutory rule under which the holding of a higher qualification which presupposes the acquisition of a lower qualification was considered to be sufficient for the post. It was in the context of specific rule that the decision in *Jyoti K.K.* turned.¹²”*

17. In *Unnikrishnan CV*, the Supreme Court, relying upon several earlier decisions, including *Zahoor Ahmad*, emphasised the technical nature of equivalence disputes, and adopted a very limited jurisdiction. In *Shifana P.S.* also, the Court showed deference to the decision of the recruiting authority.

18. Viewed from this perspective, the Committee’s report considers the syllabus and curriculum of Political Science and Public Administration at the undergraduate level, as well as their alignment with Civics/Political Science teaching at the school level. Its conclusion that Political Science is more directly aligned with the school-level curriculum, whereas Public Administration is not relevant at that level, cannot be said to be arbitrary or unreasonable, so as to warrant interference of the writ Court.

19. Mr. Aggarwal, however, submits that the Committee’s conclusion that Political Science and Public Administration are not equivalent or fully interchangeable, disregards the judgment of the Supreme Court in *Rajbir Singh Dalal*. The said decision of the Supreme Court concerned recruitment to the post of Reader in Public Administration at Chaudhari Devi Lal University, Sirsa. The University had taken the view that a Master’s degree in Political Science satisfies the eligibility condition

¹² Emphasis supplied.



requiring an M.A. degree “in the relevant subject”. Upon challenge by another candidate, the High Court set aside the appointment. However, the Supreme Court reversed that decision, deferring to the opinion of the University and the University Grants Commission [“UGC”] that a Master’s degree in Political Science satisfies the eligibility requirement.

20. Mr. Aggarwal has drawn my attention to the following observations of the Supreme Court in *Rajbir Singh Dalal*:

“25. In our opinion, in the present case, the *anusanga* principle of *Mimansa* should be utilised and the expression “relevant subject” should also be inserted in the qualification for the post of Reader after the words “at the Masters degree level”. Hence, we cannot accept the submission of Mr Patwalia in this respect. However, we agree with Mr Patwalia that since academic experts have regarded Political Science and Public Administration to be one discipline, it is not right for this Court to sit in appeal over the opinion of the experts.

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29. It may be mentioned that on a clarification sought from UGC whether a candidate who possesses a Masters degree in Public Administration is eligible for the post of Lecturer in Political Science and vice versa, UGC wrote a letter dated 5-3-1992 to the Registrar, M.D. University, Rohtak stating that the subjects of Political Science and Public Administration are interchangeable and interrelated, and a candidate who possesses Masters degree in Public Administration is eligible as Lecturer in Political Science and vice versa. Thus, this is the view of UGC, which is an expert in academic matters, and the Court should not sit in appeal over this opinion and take a contrary view.

30. Learned counsel for the appellant has also pointed out that a large number of universities in this country have a single department for both the subjects of Political Science and Public Administration, and this also demonstrates that the subjects Political Science and Public Administration are interchangeable and interrelated. Political Science is the mother subject and Public Administration is the offshoot of the same.

31. We agree with Mr Patwalia, learned counsel, that it is not appropriate for this Court to sit in appeal over the opinion of the



experts who are of the view that Political Science and Public Administration are interrelated and interchangeable subjects, and hence a candidate who possesses Masters degree in Public Administration is eligible for the post of Lecturer in Political Science and vice versa. We are told that a large number of persons having qualifications in the interchangeable/interrelated subjects have been appointed Readers/Professors/Lecturers and are continuing as such in various colleges and universities in the State.

32. In Para 5 of the counter-affidavit filed by the respondent University before the High Court, it has been specifically stated that Public Administration is one of the branches of Political Science, and the appellant was selected by a Selection Committee consisting of eminent experts after evaluating his qualifications and work.¹³

21. I am unable to concur with the aforesaid interpretation of the judgment. It may be noted, at the outset, that *Rajbir Singh Dalal* considered a situation very different from the present case. The post in that case was of faculty at University level, viz. a Reader in Public Administration, whereas the present case concerns a school teacher of Social Studies for classes 6 to 10. Questions of eligibility and equivalence have to be considered in the context of the post in question.

22. Further, the qualification for the post of Reader required a Master's degree "*in the relevant subject*", i.e., the test was whether Political Science is a "*relevant subject*" for the post of Reader in Public Administration. The prescribed qualification in the present case is not so wide as to require the study of any "*relevant subject*", but includes certain subjects which have been specifically enumerated.

23. Even in *Rajbir Singh Dalal*, what is most significant is that the Court ultimately deferred to the view of the employer, and held that the High Court had erred in accepting the challenge. The Supreme Court

¹³ Emphasis supplied.



emphasised that it is not appropriate for the Court to sit in appeal over such an opinion and therefore accepted the view taken by the University and the UGC. I am guided by the very principle emphasised by the Supreme Court - that academic matters of this nature ought to be left to the assessment and wisdom of expert bodies, over which the writ Court should not sit in appeal. The observation¹⁴ that “*Political Science is the mother subject and Public Administration is the offshoot of the same*” evidently led the experts in that case to conclude that a study of Political Science is sufficient for the teaching of Public Administration, which is an offshoot of Political Science. However, in my view, that understanding does not lay the foundation for a conclusion that the study of the narrower discipline of Public Administration is, by itself, sufficient to fulfil the requirements of the study of Political Science, in the context of the role of a schoolteacher of Social Studies.

24. Mr. Aggarwal, specifically, relies on the observation in paragraph 31 of *Rajbir Singh Dalal*, that Political Science and Public Administration are “*interrelated and interchangeable subjects*”. It may be noted that this was the view taken by the experts while analysing the requirements for the post of Reader in Public Administration. I do not read the use of the word “*interchangeable*” in the said judgment to mean that a qualification in Public Administration must necessarily suffice for all posts prescribing the study of Political Science.

25. For the aforesaid reasons, I do not find the view taken by the respondents in the present case to constitute an arbitrary or unreasonable analysis, even upon the principles laid down in *Rajbir Singh Dalal*. I am

¹⁴ Rajbir Singh Dalal, paragraph 30.



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therefore unable to come to the assistance of the petitioner in the present case.

26. The writ petition, alongwith the pending applications, is accordingly dismissed.

PRATEEK JALAN, J

SEPTEMBER 2, 2025

'Bhupi/Jishnu'