

News

A guy who was refused a faculty position at Ramakrishna Mission College due to Facebook posts has been granted relief by the Calcutta High Court.



The petitioner's pledge to refrain from publicly criticizing the Ramakrishna Mission's philosophy was noted by the court.

A guy who was turned down for a position as an assistant professor of English at a Ramakrishna Mission-run institution due to some social media posts that were deemed disrespectful to a specific religion, the Ramakrishna Mission, and its monks was recently given relief by the Calcutta High Court.

The founder of the Ramakrishna Mission, Swami Vivekananda, has promoted tolerance for people with different religious and ideological beliefs, according to a bench of justice Partha Sarathi Chatterjee.

Therefore, the Court noted that the college could not reject a faculty member only because he might have different beliefs.

"I find no justification for the decision of the Governing Body of the College which proceeds on the premise that, merely because the petitioner had expressed certain views on social media and adheres to a different ideology, faith, or belief, his appointment would be detrimental to the ideology of the Mission, which is firmly anchored in its foundational principles," the ruling from September 2 stated.

The image is incorrect; it shows Justice Partha Sarathi Sen rather than Chatterjee.

Partha Sarathi Chatterjee, Justice The image is incorrect; it shows Justice Partha Sarathi Sen rather than Chatterjee.

The Court further noted that the college does not have the authority to put restrictions on the ideological standing of its teachers because it does not possess the status of a minority institution under Article 30 of the Indian Constitution.

"The College is not entitled to any special status or designation as a minority educational institution. Additionally, it cannot require the Commission to suggest candidates for any position in the College to be restricted to those who share the Ramakrishna Mission's worldview or who do not have any opposing views, the Court ruled.

The petitioner's pledge to refrain from publicly criticizing the Ramakrishna Mission's philosophy was also noted by the court.

Given this, the Court decided that the Governing Body did not have to be concerned that the petitioner might endanger the Mission's principles.

One Tamal Dasgupta, a former assistant professor at Dr. Bhim Rao Ambedkar College, University of Delhi, pleaded for the order to be issued.

In order to fill Assistant Professor positions in several West Bengali colleges, the West Bengal College Service Commission published a recruitment ad in 2020, to which he replied.

on September 2023, he was included on a merit panel. He decided to enroll at the Ramkrishna Mission Residential College in Narendrapur during counseling.

After being asked to sign a declaration giving up his claims to other colleges, he sold his apartment in Delhi and moved to West Bengal.

But even after he was chosen, the college never sent him an appointment letter. It argued that Dasgupta's appointment as a faculty member was not required by the West Bengal College Service Commission.

According to the college's governing body, he posted some offensive Facebook posts, thus they were against his appointment.

The Dasgupta contended before the Court that he was now in a vulnerable situation, especially since he had been forced to sign a document giving up his right to be considered for a position at any other college.

Additionally, he emphasized that Ramakrishna Mission College is a state-aided institution. He argued that because India is a secular nation, institutions supported by the government are necessary to preserve secular principles.

He said that it cannot force people to subscribe to or spread religious dogma, particularly when the Constitution protects the right to free speech and expression.

The Court awarded him relief in its decision dated September 2. It pointed out that the dispute between Dasgupta and the institution was fundamentally one of values.

It pointed out that Dasgupta's posts on social media were not documented. It did not, therefore, comment on it.

Nonetheless, the Court went ahead and ordered Dasgupta's appointment to the college in light of the inclusive ideology that guided the Ramakrishna Mission and his pledge to refrain from publicly criticizing the Mission.

However, the Court further stated that if Dasgupta does anything or says anything that is not in the institution's best interests, the college has the right to take disciplinary action against him.

Dasgupta was represented by advocates Mohana Das, Amrita De, and Raghunath Chakraborty.

Neelam and Malay Kumar Singh, both advocates, represented the State.

The respondents were represented by attorneys **Subhrangsu** Panda, Ina Bhattacharya, Mithu Singha Mahapatra, Deepan Kumar Sarkar, Arti Bhattacharya, S Sen, **Prithwish Roychowdhury**, and Deepti Priya.

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