

AD. 10.  
January 22, 2021.  
MNS.

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W. P. A. 9187 of 2020  
(**Via video conference**)

Mx Sumana Pramanik @ Suman Pramanik  
Vs.  
The Union of India and others

Mr. Indrajeet Dey,  
Mr. Kushal Das

... for the petitioner.

Ms. Aparna Banerjee

...for the Union of India.

Mr. Anil Kumar Gupta

...for the UGC.

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Affidavit-of-service filed in Court today be  
taken on record.

A very pertinent question has been raised by the writ petitioner as regards a patent discrepancy in the eligibility criteria of the Joint CSIR-UGC NET Examination with those of the UGC-NET Examination. Such discrimination relates to the eligibility criteria of the latter providing for transgenders to get the benefit of reservation and allied benefits, while those of the former, that is, the Joint CSIR-UGC NET, excluding the transgender.

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Learned counsel appearing for the petitioner places reliance on a judgment reported at **(2014) 5 SCC 438 (National Legal Services Authority Vs. Union of India and others)**, wherein certain guidelines were laid down by the Supreme Court, including a direction on the Centre and the State Governments to take steps to treat members of the “third gender” as socially and educationally backward classes of citizens and extend all kinds of reservation in cases of admission in educational institutions and for public appointments.

*Prima facie*, it appears that such direction of the Supreme Court as well as the basic tenets of equality, enshrined in the Constitution, were violated by such exclusion.

However, since learned counsel appearing for the UGC prays for some time to take appropriate instructions, let the matter stand adjourned till February 1, 2021, when the same will be enlisted for further hearing at 2 p.m.

(Sabyasachi Bhattacharyya, J.)

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