



SC Judgement on West Bengal Schools Recruitment Scam

Why in News?

- The Supreme Court while upholding the quashing of nearly 25000 teaching and non-teaching staff appointments made by the **West Bengal School Selection Commission (WBSSC) in 2016**, laid down key principles to be considered by the Court when dealing with challenges to appointments in government employment.

Key Points

- **Background:** The recruitments made in 2016 by the WBSSC were linked to the cash-for-school jobs recruitment “scam”. The SSC had held the selection process in 2016 for assistant teachers for classes nine to 12 and non-teaching staff.
- **SC Judgement:**
 - The Supreme Court bench upheld the Calcutta HC's finding that the selection process was fraudulent and manipulated.
 - Tainted candidates' services will be terminated, and salaries must be refunded.
 - The entire selection process was declared void for violating **Articles 14 (Equality before Law) and Article 16 (Equality in matters of public employment)** of the Indian Constitution.
 - Even untainted candidates will lose jobs but need not refund salaries.
 - No future appointments can be made from the scrapped process.
- **SC's 4 Key Principles to Strike Down Tainted Selection Processes:**
 - Entire exam results will be cancelled if in-depth inquiry signals fraud in process.
 - The evidence used to cancel en masse selection may not necessarily prove malpractice beyond reasonable doubt (but just a reasonable certainty of systemic corruption).
 - If deep manipulation in the process is proven, purity of the process has to be given precedence over inconvenience to untainted candidates.
 - If it is factually established that the entire process is vitiated, individual hearings are not necessary.