

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. - OA 201 OF 2023

PRADEEP SHARMA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Ayan Kumar Boral, Learned Advocate
	For the State Respondents	:	Mr. Ranjit Kumar Mondal, Learned Advocate
<u>8</u> 19.06.2025	For the Public Service Commission, West Bengal	:	Mr. Saurav Bhattacharjee, Learned Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

The matter relates to an appointment for the post of Lower Division Clerk (Regional) conducted by Public Service Commission, West Bengal. The prayer in this application is for setting aside the impugned order passed by the Additional Director General, West Bengal Fire and Emergency Services. By this impugned order, it appears that the candidature of the applicant for the post of L.D.C. was cancelled by the Commission. The correspondence No.1266 dated 11.11.2022 by the Department conveys the decision to the Secretary of the Commission that the Sports Certificate submitted by the applicant does not meet the criteria as per the advertisement.

The memo No.1266 dated 11.11.2022 which was communicated by the Department to the Public Service Commission had recorded the following:

“Sri Pradeep Sharma (Roll No.-0742639) has been selected as Meritorious Sports Person but submitted certificate from Howrah Sports Academy which does not match with the Certificate required for selection as MSP candidate as per Advt. No.05/2019 of PSC, WB.”

By memo No.770 dated 01.03.2023, the applicant was also conveyed the decision of cancellation of his candidature. The advertisement No.05/2019, published by the Commission for Clerkship Examination, 2019, had required the following competent authorities to issue certificates of merit to the sports persons:

ORDER SHEET

Form No.

PRADEEP SHARMA

Vs.

Case No. - OA 201 OF 2023

THE STATE OF WEST BENGAL & ORS.

Area	Competent Authority
International Competition	Secretary of the National Federation / National Association of the Sports concerned.
National Competition	Secretary of the State Association of the Sports concerned.
Inter-University Tournament	Dean/Director of Sports or other Officer in overall charge of Sports of the University concerned.
National Sports / Games for School Education	Director or Deputy Director in overall charge of Sports/Games for Schools in the Directorate of School Education, West Bengal

A copy of the sports certificate enclosed in this application by the applicant shows that a certificate of participation was given to him by the Howrah Sports Academy-04 for his participation in the All India Super Cup Cricket Tournament which was held from 26th February, 2008 to 3rd March, 2008. From the above certificate, it is abundantly clear that this certificate was not in terms of the advertisement. The Tribunal is satisfied with the decision taken by the respondent authority in declaring this certificate issued by the Howrah Sports Academy-04 as an invalid certificate. The respondent authorities were correct in taking a decision to cancel the candidature of the applicant for the post of Lower Division Clerk (Regional). Thus the Tribunal does not find the prayers in this application having any merit and dispose of the same without passing any orders.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.