

ORDER SHEET

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 398 OF 2023

BIPLAB GHOSH - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	:	Mr. Kiran Sk., Advocate
	For the State Respondents	:	None
	For the Public Service Commission, West Bengal	:	Mr. Saurav Bhattacharjee, Advocate

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13.08.2024

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 case, in short, is that the applicant's name had appeared in the provisional merit list for the post of Fire Operator published by the West Bengal Public Service Commission on 03.03.2023. But a remark against his name at serial No.178 says the following:

“OBC-B CERT. ISSUED ON 29.03.2019 WHICH IS AFTER CLOSING DATE OF ADVT. CONSIDERED AS GENERAL. HENCE INELIGIBLE DUE TO OVER AGE”.

From the submissions of the learned counsels and the records, it is understood that the advertisement published by the Commission for such post had advised the candidates belonging to S.C., S.T., O.B.C. or person with disability to have their certificates obtained within the closing date of receipt of the application. The closing date as per the advertisement was 3rd July, 2018, for the candidates belonging to any of these social categories to submit such certificates which were issued by the appropriate authority to them on or before the last date - the 3rd July, 2018. This candidate had obtained a certificate of belonging to OBC-B category issued by the Sub-Divisional Officer, Khatra, Bankura which is dated 29.03.2019. Since such a certificate was not considered as a valid certificate, the Commission did not accept his candidature as an OBC-B candidate.

From the above, it is clear to this Tribunal that the applicant could not fulfil one of the criterias as mentioned in the advertisement – which is submission of a valid certificate of belonging to OBC-B category issued on or before the last date i.e. the 3rd July, 2018. The above fact has not been disputed by the applicant's side.

In view of the above observations, this application, devoid of any merit, is disposed of without passing any orders.

SCN.

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