

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 626 of 2022

Happy Sarkar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. M. Karim,
and Learned Advocate

Date of order
11
08.05.2025 For the Respondents : Mr. G.P. Banerjee,
Learned Advocate

For the Public Service : Mr. S. Bhattacharjee,
Commission, West Learned Advocate
Bengal

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

Affidavit of service filed be kept in record.

Submission of Mr. Bhattacharjee is that as per the advertisement, the applicant participated in the selection process and at the time of document verification, instead of a valid PWD certificate, the applicant presented an identity card of him being a physically handicapped person, such document was not admissible and was not substitute of a PWD certificate. However, after publication of the ineligible candidates, in which his name appear, the applicant furnished a representation before the Commission dated 09.03.2023, enclosing of valid certificate dated 17.04.2019. Such a certificate, although valid was presented through his representation much after the last date of submission of the certificate. The certificate dated 17.04.2019 was also issued after last date of the filing of the application on 25.03.2019. The advertisement had clearly indicated that such certificate should have been issued prior to the last date, which was 25.03.2019.

It has been found correct that the advertisement had clearly stipulated 25.03.2019 as the last date for not only applying for, the post but also for submission of the relevant documents. It is clear from the copy of the Information sheet for online document verification that the applicant had submitted his PWD certificate, in which the issuing authority was "ICDS". The applicant had prayed before the Commission to allow him to submit his valid PWD certificate. The representation dated 09.03.2022 had enclosed a copy of disability certificate issued by the Salt Lake Sub-divisional Hospital vide

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certificate no. SLSDH/35 dated 17.04.2019. In the representation itself the applicant had admitted that he had wrongly uploaded his PWD certificate while filling up the application form online. The Commission in its advertisement for the post of Clerk had declared 25.03.2019 as the last date of submission of valid certificates. The document which was verified by a Group – A Officer on 22.12.2021 was the ICDS Identity Card, not the valid PWD certificate issued by the Salt Lake Sub-divisional Hospital on 17.04.2019. From the above observations, two facts emerged:-

1. That the applicant had submitted the ICDS Identity Card as proof of his disability, which was not a valid certificate.
2. Although the applicant was in possession of a valid disability certificate dated 17.04.2019 issued by the competent authority but such certificate was issued after the cut of date of 25.03.2019 and further such valid certificate was not made available for verification by a Group – A Officer on 22.12.2021.

From the above findings, it is clear that the prayers in this application are devoid of any merit. This application is disposed of without any orders.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P.