

**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 114 of 2023**

**SUDIPTA SANNIGRAHI - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

03  
17.07.2023

For the Applicant : Mr.Kiron Sk.  
Advocate  
For the State respondents : Mrs. S.Das  
Advocate  
For the Public Service : Mr.Sourav Bhattacharjee  
Commission, West Bengal 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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authority to submit the Police Verification Report of the applicant to the Department of FPI&H. It appears that the applicant participated in the recruitment test conducted by the Public Service Commission for the post of Assistant Director of Horticulture. The candidate belongs to reserved category (Physically disabled). The Commission subsequently finalised the list of recommended candidates and furnished the same before the respondent department. To complete the formalities, her dossier were sent for Police Verification. During the inquiry, it was found that the applicant had two different dates of births in two different documents. In her birth certificate issued by the Sub-Registrar, Birth & Death, Simlapal, BPHC on 03.09.2015, the date of birth is shown as **18.11.1992**. In another birth certificate issued as Form No. 9, (but the designation of the authority is not legible), the date of birth is shown as

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18.11.1992. This certificate was registered on 20.11.1992 and the issuing authority signed this on 08.01.1993. These dates differs with the dates recorded in her admit card issued by the West Bengal Board of Secondary Education in which her date of birth is shown as **01.04.1986**. This admit card relates to her appearing in Madhyamik Pariksha of 2006.

To clarify such discrepancy in the dates of birth, the respondent authorities had asked the applicant to appear with relevant documents, but it appears from page 52, that the applicant did not appear on that date. From the above facts, it is the observation of the Tribunal that;

(i) The applicant has failed to appear as informed before the Deputy Secretary and clarify the doubt regarding her date of birth as is evident from the Notice 2 at page No. 52. Further it appears that the applicant was directed to submit a written statement through a notice served to the applicant on 07.1.2023 through IC Simlapal Police Station. It appears that no such written statement was submitted. From the application, it appears that the applicant has written letters to the Chief Minister and District Magistrate. But these are inconsequential because such representations clarifying her discrepancy of date of birth should have been furnished before the respondent authorities, as was advised to her.

(ii) The Tribunal is also of the view that if there was a mistake in writing the date of birth in different documents, such mistake would not be for six years. As is in this case, in the admit card issued in the year 2006 for Class-X, the date of birth of the applicant has been shown as 01.04.1986, whereas in the two different certificates, the date of birth shown is 18.11.1992, thus a gap of more than six years.

(iii) If 18.11.1992 is to be considered as the date of birth, then it means

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from her Admit card for Class-X that she was only 13 years old appearing for the Madhyamik Examination.

(iv) If in the year 2006, the date of birth was wrongly recorded in the Admit card as 01.04.1986, the applicant could have written then only to the Board of Secondary Education for rectification of the date of birth. But it is evident that no such letter was written to correct the date of birth.

Having noted the above observations, the Tribunal does not find any merit in the application.

Accordingly, the application is disposed of without any orders.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR