

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 119 of 2023**

*Saddam Hossain & Ors.* -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order

For the Applicants

: Mr. N. Majhi, Ld. Advocate.

For the State Respondent

: Mr. G.P. Banerjee, Ld. Advocate.

For the Group-“D” Recruitment Board

: Mr. M.N. Roy, Ld. Advocate.

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08.12.2023

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.

Mr. Majhi, learned counsel for the applicants submits that the appointments under this examination for the post of Group-D was issued without publishing the break-up of marks of all the candidates.

The prayer in this application is for a direction to the respondent authorities to publish the break-up of marks obtained by the applicants and the successful candidates for the post of Group-D conducted by the West Bengal Group-D Recruitment Board in the year 2017. It appears from the submissions that against a RTI question, the Board had informed one of the applicants on 21.12.2022. Aggrieved by non-disclosure of the break-up of marks, the applicants have preferred this application in this Tribunal.

After hearing the submissions and considering the facts and circumstances of the matter, the Tribunal finds that due to non-publication of the marks through their website as well in the form of reply to RTI question, the applicants have preferred judicial intervention through this Tribunal. It is the finding of the Tribunal that any person aggrieved by the reply of the State Public Information Officer can seek remedy through Section 19 of the RTI Act, 2005 before the appropriate Appellate Authority. Further, the Tribunal also finds that this application filed in this Tribunal on 17.02.2023 is barred by limitation for seeking a remedy to an examination held in the year 2017. Since the matter primarily relates to disclosure of information by the Board through the RTI Act, 2005, this prayer in this application is not admissible in this Tribunal. The applicants are at liberty to file appeals before the appropriate authority under the RTI Act, 2005.

Accordingly, this application is **disposed of** without passing any orders.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**