

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 293 of 2022

Asit Kumar Majumder & Ors. -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicants : Mr. S. Shah,
Ld. Advocate.

For the State respondent : Mr. G.P. Banerjee,
Ld. Advocate.

07
01.03.2023

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 23rd 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. S. Bhattacharjee, learned counsel appears on behalf of Mr. S.N. Ray, learned advocate-on-record for the West Bengal Health Recruitment Board.

Mr. G.P. Banerjee, learned counsel appearing on behalf of the State respondents prays for accommodation to file reply.

The prayer in this application is to set aside the Advertisement No. R/LIB./21/2022 dated 19.04.2022 in which the applicants are candidates for the post of Librarian which was advertised by West Bengal Health Recruitment Board during in 2022. Submission of Mr. Shah is that possession of Diploma in Library Science from any recognised University has been made compulsory as an essential qualification. According to Mr. Shah, such Diploma in Library Science is not taught in any of the Colleges and Universities since 1973. Therefore, no candidate will be in a position to participate in this recruitment process since none of them will have Diploma in Library Science. Mr. Shah also submits that in the advertisement, there is no mention and weightage for having experience as a Librarian. Since he is not in possession of the Recruitment Rules in terms of which this advertisement was published, he prays for a direction to the respondent to submit the relevant Recruitment Rules on the next date.

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Mr. G.P. Banerjee, learned counsel appearing on behalf of the State respondents submits that irrespective of the prayers, the applicants have filed in this application, the fact is all of them have participated in this recruitment process, the result of which is due to be published. Mr. Banerjee further submits that the learned counsel for the applicants although stating that no such Diploma in Library Science is taught, however, he has not produced any documentary proof to this effect.

In view of the above submissions, the Respondent No. 3, The Director of Public Instruction, Department of Higher Education, Government of West Bengal is directed to submit a copy of the Recruitment Rules pertaining to the selection of Librarian as stipulated in the advertisement No. R/LIB./21/2022 dated 19.04.2022 issued by the West Bengal Health Recruitment Board appearing at page 76. Similarly, the learned counsel for the applicants is also directed to substantiate his statement to the effect that Diploma in Library Science has not been taught since 1973 in any Colleges and Universities with proof by way of submission of documents, syllabus and courses conducted by Colleges and Universities by the next date.

Let the matter appear under the heading “**Reply, Rejoinder and Objection**” on **19.06.2023**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)