

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble SAYEED AHMED BABA, Member (A)**

**Case No. – OA-296 of 2020**

**Sujay Kumar Biswas VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mrs. P. Dey (Dhabal),  
Learned Advocate.

07  
27.07.2022

For the State  
Respondents : Mr. M.N. Roy,  
Mr. G.P. Banerjee,  
Learned Advocates.

The applicant Sujay Kumar Biswas had applied for a job under compassionate ground after the death of the father who died in harness on 15.08.2011. Within a couple of months, the applicant submitted his application for a job on compassionate ground in prescribed proforma to the respondent authorities. Thereafter, an enquiry committee was set up which recommended the claim for employment of the applicant.

After considering the application and all the documents, the authorised respondent rejected the application on the ground that the applicant's educational qualification is only Class-VII. Hence as per W.B.S. (Group-D) Recruitment Rules, 2009 he is not eligible for appointment.

It appears that in the proforma application filled up by the applicant, educational qualification has been shown as Class-VII passed. The certificate issued by his school signed by the Headmaster states that he was reading in Class VIII during 2002-2003. Since as per the guideline, minimum educational

qualification for Group-D is Class VIII passed, thus not being eligible, the respondents considered and rejected his application.

The Counsel for the applicant has filed a rejoinder today. A copy of which is also served. Let it be kept in the record.

Since the Respondent No. 1 has the authority to relax educational qualification, counsel for the applicant prays that liberty may be given to submit a prayer to the concerned respondent for relaxation of his educational qualification.

Mr. Banerjee, learned advocate appearing on behalf of the respondent has not opposed and states that if such a representation is furnished, the respondent will consider and take suitable action in accordance with law.

Liberty is granted to file such representation before the Respondent No. 1, Pr. Secretary, PWD for relaxation of educational qualification within eight weeks from the date of this order.

In view of the above, Respondent No. 1, Principal Secretary, P.W.D. is directed to dispose of the representation if furnished by the applicant within the stipulated time for relaxation of educational qualification within a period of four weeks in accordance with rule by way of passing a reasoned order and the

same shall be communicated to the applicant within a period of two weeks thereafter.

Accordingly OA is disposed of.

SAYEED AHMED BABA  
MEMBER (A)

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