

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman,
The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. – OA 326 of 2021

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

Serial No. and Date of order	For the Applicant	: None.
	For the State respondents	: None.
<u>7</u> 06.12.2021	For the Public Service Commission, West Bengal	: Mr. G.P. Banerjee, Advocate.

On 3rd December, 2021, none had appeared on behalf of the applicant. The matter was directed to appear as 'For Orders' today. Today, none appears on behalf of the applicant.

In this application, Subhankar Sarkar, the applicant has prayed for certain reliefs, the relevant portion of which is as under :

“a) Issue direction commanding the Respondents and each of them to act in accordance with law and to show cause as to why the Respondent No:-2 should not be directed forthwith to recommend the candidature of the Applicant as selected under 'schedule caste' category and on failure to show reasonable cause, the rule to be made herein absolute.

b) Issue a direction commanding the Respondents and each of them and/or their men, agent, servant, staff employees, subordinates and each of them to forbear from issuing the any order for police verification or appointment under the Advertisement No. 15/2018.”

It is submitted by Mr. G.P. Banerjee, learned advocate for the Public Service Commission, West Bengal that since the applicant admittedly did not file the scheduled caste certificate while filling up the form on 3rd July, 2018, he was considered as a general category candidate and not as

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a scheduled caste candidate. It is submitted that evidently the applicant had obtained the schedule caste certificate on 4th September, 2018, as evident from page 19 of the application which was not a part of the application for employment pursuant to the advertisement.

It appears from the application for Fire Operator in the West Bengal Fire Services under the department of Fire and Emergency Services, Government of West Bengal that the applicant had filled up the form on 3rd July, 2018 declaring him as a scheduled caste candidate on the strength of a scheduled caste certificate issued on 9th September, 2017. It appears from page 18 of the application that he had filed an application for obtaining scheduled caste certificate on the said date that is 9th September, 2017, which was issued on 4th September, 2018. It is apparent that the applicant was not having the scheduled caste certificate on the date of filing up the application form and, therefore, his candidature cannot be considered in the scheduled caste category.

Hence no order is passed on the application. The application is disposed of.

Rajib

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN