

**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 406 of 2023

**Md. Shadab Hussain & Ors. -- VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicants	: Mr. N.K. Roy, Ld. Advocate.
	For the State respondent	: Mr. G.P. Banerjee, Ld. Advocate.
<u>01</u> 22.06.2023		

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.

The primary prayer in this application is for a direction to the respondent authorities to appoint the applicants to the post of constables in the West Bengal Police. The West Bengal Police Recruitment Board had advertised for the post of Police constable and Lady constables in West Bengal Police-2020. The applicants participated in the recruitment process and succeeded in each process till the interview stage.

As it appears from the advertisement for the post appearing at ***“Note (iii) eligibility-Note (d) Language:- (i) The applicant must be able to speak, read and write the Bengali language. However, this provision will not be applicable to the persons who are permanent residents of hill sub-divisions of Darjeeling and Kalimpong Districts. (ii) For the applicant of hill sub-divisions of Darjeeling and Kalimpong Districts, the provisions laid down in the West Bengal Official Language Act, 1961 will be applicable.”***

Relating to the knowledge of Bengali as a language of the said advertisement at para 6 Interview had also mentioned that “Candidates’ ability to speak in Bengali will also be tested.”

During the interview for test of Bengali, the applicants could not converse in Bengali and mentioned the same in a handwritten letter addressed to the Chairman, Presidency Range Recruitment Board written separately by each applicant in Hindi stating that the applicants do not know how to speak in Bengali.

Mr. G.P. Banerjee, learned advocate appearing for the State

**ORDER SHEET**

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respondents points out that this fact was suppressed by all the applicants in their application forms in which they had affirmed their proficiency in speaking, reading and writing in Bengali. It also appears that these applicants are not residents of this State as evident from their application forms. Mr. Banerjee therefore opposes admissibility of this application in this Tribunal.

After hearing the submissions of the learned counsels and perusing the records, the Tribunal is of the opinion that the applicants had suppressed the information about their ability to speak, read and write in Bengali. The plain paper statements addressed to the Chairman of the Recruitment Board written in Hindi is clear expression that they are neither proficient nor can communicate in Bengali language. Therefore, this application does not have any merit and not admissible since the applicants have failed to pass in one of the essential criterias as stated in the advertisement.

Therefore, this application is **dismissed as not admissible.**

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

CSM/HS