

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA409 of 2023

Bapan Ghosh -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. A.K. Ghosh,
Ld. Advocate.

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

02
20.12.2023

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 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.

The applicant has prayed for setting aside the Memo No. 648 dated 19.04.2023, passed by the Respondent No. 2, the Chairman, Police Recruitment Board. This Memo was a publication by the West Bengal Police Recruitment Board for candidates recommended for the post of Constable/Lady Constable in West Bengal Police – 2020. Appearing at serial No. 7377, the applicant, Bapan Ghosh has the remarks “Candidature Rejected”.

From the submissions of the learned counsels and records in this application, it appears that the candidature of the applicant was rejected on the ground that the applicant failed to submit the revalidated caste certificate of OBC-B category. From the copy of the report shown by Mr. Banerjee, it is seen that the applicant had submitted his OBC-B certificate No. 5557 issued by the Sub-Divisional Officer, Malda (Sadar) on 02.06.2015. These testimonial of check list prepared on 09.09.2022 by the Board has been authenticated by Bapan Ghosh, the applicant himself.

Mr. Banerjee presenting a copy of “Information to the applicants for ‘on- line’ submission of application” explains that as per Para –3. ((ii) of Eligibility; if short listed for interview, the candidate has to produce the revalidated/renewed or fresh OBC-A/OBC-B certificate issued by the competent authority within one year preceding 01.01.2021 during verification of testimonials at the time of interview. In this case, the applicant had submitted at the time of interview his OBC-B certificate No. 5557 dated

Form No.

Case No. **OA-409 of 2023**

Vs.

The State of West Bengal & Ors.

02.06.2015. Therefore, the applicant could not produce at the time of interview a revalidated or renewed OBC-B certificate. Accordingly, his candidature was not considered.

Though Mr. Ghosh, learned counsel draws attention to Annexure-P5 at page 25 which appears to be a OBC certificate issued by the Deputy Magistrate and Deputy Collector, Malda to the applicant, Bapan Ghosh, but it is clear that such a certificate was issued to the applicant only on 14.09.2022, which is after expiry of the last date of submission of certificate by the applicant. Though this is a fresh certificate, but it is clear that the applicant had submitted his older certificate which was dated 02.06.2015 at the time of interview.

From the above consideration of the case, the Tribunal finds that the applicant had failed to submit the valid certificate belonging to OBC-B category during the interview and thus, his candidature was not accepted.

Accordingly, the Tribunal finds no merit in this application and thus, the matter is **disposed of** without passing any order.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

HS/SS