

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,
Case No. - OA 645 OF 2023**

MASIDUR RAHAMAN & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

For the Applicants : Ms. S.Saha
Advocate

02

06.02.2024

For the State Respondents : Mr. Gourav Halder
Advocate

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.

Affidavit of service filed today be kept on record.

The applicants have prayed for a direction to the respondent authorities to consider their representations. Their representations speak about an advertisement published by the Public Service Commission being Advertisement No. 04/2023 which was published for the recruitment of Sub-Inspector in the Subordinate Food & Supplies Service, Grade-III under the Food & Supplies Department. Attention is drawn to the advertisement's box- Reservation - The benefits of reservation of vacancies are admissible to :-

“ 1) S.C./S.T./O.B.C. (Non- Creamy Layer) candidates of West Bengal only. The S.C./S.T./O.B.C. candidates of other States shall be treated as general candidates.”

Ms.S.Saha argues that though reservations have been made for SC/ST/OBC, but no such reservation has been made for candidates belonging to the Exempted Category (Land Losers). The applicants

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belong to the land loser Exempted Category. Reference has been made to a Notification of the Labour Department being 18-Emp (EC) dated 07.02.2023 issued by the Labour Department. It is submitted that in this Notification, a total of three reservations have been mentioned for EWS (EC) in the Model 100-Point Roster of vacancies. The respondent authorities ought to have considered this Notification and reserved vacancies for the EWS (EC) category.

Since this matter primarily relates to the Food and Supplies Department, let the name of Secretary, Food and Supplies Department be added as a respondent No. 7 and copy of this application be served. Since the matter relates to Food and Supplies Department, let the name of Respondent No. 1, 2 and 3 be expunged from the array of the respondents.

Let the above amendments as directed be completed and let the matter appear under the heading "Admission Hearing" on 29th April, 2024.

BLR

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)