

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Mr. Sayeed Ahmed Baba, Member (Admn.)

Case No. –OA 679 of 2021

Sk. Majaffar Ahamed - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>06</u> 20.06.2022	For the Applicant	: Mr. G.P. Banerjee, Mr. D.N. Mukherjee, Advocates.
	For the Respondent No.1	: Mr. S. Ghosh, Advocate.
	For the PSC, WB	: Mr. S. Bhattacharjee, Advocate.

In this application, Sk. Majaffar Ahamed, the applicant who had participated in the selection process for the post of Fire Operator pursuant to the advertisement no. 15 of 2018 has prayed for certain reliefs, the relevant portion of which is as under :

“ A. An order do issue by directing the respondents to provide 5 marks for having minimum one year experience certificates of working in a autonomous bodies as fire service operator;

B. An order do issue to recast the list of recommendation by incorporating the name of the applicant;”

It is submitted by Mr. G.P. Banerjee, learned advocate for the applicant that by letter dated 21st May, 2022, Asha Nursing Home has intimated the Public Service Commission, West Bengal that the Nursing Home is affiliated and recognised by the Department of Health, Government of West Bengal. The applicant was not a permanent staff and was temporarily appointed. Referring to the desirable qualifications in the advertisement, submission is, since the applicant was an employee of an autonomous organisation and is having one year experience, appropriate order may be passed. Let a copy of the said letter dated 21st May, 2022 be kept on record.

Mr. S. Bhattacharjee, learned advocate appearing on behalf of the Public Service Commission, West Bengal submits that by e-mail dated 7th June, 2022 addressed by the Joint Secretary of the Commission to Asha Nursing

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Home, it has been intimated that it is not clear from the said letter by the Nursing home that it is officially registered as an autonomous body and whether the applicant possesses fire fighting experience or not.

Let a copy of the letter dated 7th June, 2022 be kept with the record.

Mr. S. Ghosh, learned advocate for the respondent no. 1 adopts the submission of Mr. Bhattacharjee.

Heard learned advocates for the parties.

In order to appreciate the issue, it is appropriate to set out the relevant portion of the advertisement which is as under :

“(b) Desirable qualifications:

(i) Minimum 1(one) year experience in fire fighting in any Govt. department or organisation or Public Sector Undertaking or autonomous bodies;”

Perused the certificate issued by the Manager of Asha Nursing Home at page 27 of the application. Since an autonomous body has a registered number which is not mentioned in the certificate issued by the Asha Nursing Home and as the desirable qualifications stipulates that a candidate should have minimum one year experience in fire fighting in any Government Department or organisation which means a Government organisation or a public sector undertaking or an autonomous body, as in the certificate issued by the Asha Nursing Home it has not been mentioned that it is an autonomous body, no order can be passed on the application.

Therefore, no order is passed on the application. The application is disposed of.

CSM/SS

(SAYEED AHMED BABA)
Member (A)

(SOUMITRA PAL)
CHAIRMAN