

**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 720 of 2022**

*Rakhi Mondal* -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order

For the Applicant : Mr. D. Pattanayak,  
Ld. Advocate.  
For the State respondent : Mr. R.K. Mondal,  
Ld. Advocate.

03  
19.12.2022

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.

Learned counsel for the applicant submits that the respondent – West Bengal Health Recruitment Board by awarding a total of only 53.5 marks to the applicant has failed to consider the value of his Post Graduation Diploma which would have given her additional 15 marks to her score sheet and include her as a merit candidate in the panel.

As it appears from page 31, the applicant Rakhi Mondal has been awarded a Post Graduate Diploma in Health Care and Hospital Management by the Indian Institute of Social Welfare and Business Management in the year 2010. At page 32, the Mark Sheets of the said Diploma is available. The prayer of the applicant is that her Post Graduate Diploma along with the Mark Sheets be considered for the post of Assistant Super (Non-Medical Grade-II) by accepting the certificate and awarding 15 marks to her.

Learned counsel for the State referring to the reply of the State submits that the evaluation of any certificate submitted by the applicant is the exclusive domain of experts and the Health Recruitment Board is not competent to evaluate such certificates. In this case, as per the reply furnished by the respondent, the concerned expert did not award any marks for Post Graduate Diploma to the applicant. Hence, her total marks obtained is 53.5 whereas the marks obtained by the last successful candidate in the same category is 58.0.

It appears very evident that the applicant had completed a Post Graduate Diploma from the Indian Institute of Social Welfare and Business

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Management and was awarded a diploma in “*Health Care and Hospital Management*”. The detailed marks obtained in each subject of this course is the supporting document to the diploma. Referring to the advertisement of the West Bengal Health Recruitment Board, a candidate having a Post Graduate Diploma in Hospital Management/Hospital Administration would get 15 additional marks. After successful submission of the documents, the applicant was called for an interview-cum-document verification on 09.11.2020. In the interview and the document verification, the applicant presented the documents, including the Post Graduate Diploma to the members of the Interview Committee. However, when she was finally awarded the marks, she obtained only 53.5 and thus, she was not considered in the merit list in which the last successful candidate had obtained 58.0 marks. Neither the submission of the learned counsel for the State had PSC, nor in the reply submitted by the respondent refer to why the Post Graduate Diploma of the applicant was not considered. No reason has been given and the Health Recruitment Board has absolved its responsibilities and shifted it to the experts, although appointed by the PSC itself.

Having heard the submissions and relying on the documents, I am satisfied that the document of Post Graduate Diploma in the relevant subject obtained from a recognised Institute deserves to be examined properly by the West Bengal Health Recruitment Board and their “experts”. Had the State respondent either through submission or through letter mentioned the reason why the said diploma was not considered, it would have helped to understand the reason why the applicant was not considered by awarding additional 15 marks. Since in the absence of such explanation by the respondent, it is imperative that the applicant who has come to the Tribunal producing a copy of the document with the prayer for its examination by the Board should be given an opportunity. Therefore, I direct the Respondent No. 2(g), The Secretary and Controller of Examinations, West Bengal Health Recruitment Board to have the concerned experts evaluate the Post Graduate Diploma furnished by the applicant and after considering its relevancy and if the

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applicant is entitled to get the 15 marks for such certificate, the candidate should be considered in the merit list. However, if in the opinion of the expert of the Board, the certificate so furnished is not eligible for the 15 marks, the same reason should be explained in the reasoned order to be passed by the Respondent No. 2 (g) within a period of four weeks and communicate the same to the applicant within one week thereof. The applicant is directed to furnish the certificates before the Respondent No. 2 (g) from two weeks from the date of this order.

Accordingly, the matter is **disposed of**.

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

CSM/SS