

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 834 of 2022.

SK. ABU TAHER - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

07
14.03.2024.

For the Applicant : Mr. G.P. Banerjee,
Learned Advocates.

For the State Respondents : Mr. M.N. Roy,
Learned 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to take a decision on the basis of his representation. A representation was filed by the applicant before the Chairman, West Bengal Police Recruitment Board dated 17.05.2022. It appears from the reply to the R.T.I. dated 26.05.2022, the applicant was informed that he could not submit the revalidated/renewed OBC-A certificate during the interview which was held on 10.03.2022. It appears from page No. 29 in this application that one OBC-NCL Certificate Format was issued to the applicant on 26.04.2022.

Submission of Mr. M.N. Roy, learned counsel for the State respondents is that in the advertisement, it was clearly mentioned that any candidate belonging to OBC-A/B Category and if shortlisted for interview shall have to produce revalidated/renewed of fresh OBC-A/B certificate at the time of interview. Since no such certificate could be produced by the applicant at the time of interview, his candidature was not considered under OBC-A Category.

Having heard the submissions and on examination of the records, it is

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the impression that such OBC-A certificate was not submitted by the applicant at the time of interview. Thus has not been controverted by the learned counsel for the applicant. It was known to the applicant that the revalidated/ renewed OBC-A certificate was to be shown for verification at the time of the interview. However, at the time of interview, no such validated certificate could be furnished by the applicant. By failure to present such validated certificate at the time of interview, the applicant was not categorised under OBC-A category. Thus, despite having scored 30.67 marks, he was treated as an UR candidate in which the cut off mark was 35.25. The reply of the West Bengal Police Recruitment Board communicated through the RTI Act on 26.5.2022 also made it clear that he did not submit his revalidated/renewed OBC-A certificate during his interview. Therefore the question of his treatment as a OBC-A category does not arise.

Having observed the above, and devoid of any merit, this application is disposed of without passing any order.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Skg.