

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman.**

**& The Hon'ble Sayeed Ahmed Baba, Administrative Member.**

**Case No. –OA-950 of 2018.**

**Bablu Mondal. – Versus – The State of West Bengal and Others.**

Serial No. and Date of order	For the Applicant	: Mrs. S. Mitra, Advocate.
<u>12</u> 27.04.2022.	For the State Respondents	: Mr. S. Bhattacharjee, Advocate.

In this application, Bablu Mondal - the applicant, belonging to OBC-A, who had participated in the recruitment process for Group-D staff under the Government of West Bengal pursuant to the notification issued by the West Bengal Group-D Recruitment Board, 2017, has prayed for several reliefs, the relevant portion of which is as under :-

*“a) An order be passed directing the respondent authorities to cancel, withdraw, rescind the impugned Website posting wherein it was recorded that “your result has been withheld due to non-submission of requisite documents in support of your candidature. You are advised to be in touch with Board office immediately. You are also advised to follow the Board’s website regularly for any updates on the result” against the candidature of the applicant having Roll No. 1100020136 and further not to proceed and/or further proceed and/or proceed any further with the said impugned Website posting;*

*b) An order directing the respondent authorities to issue appointment letter in favour of the applicant on the basis of the first list wherein the applicant secured his position for appointment to the post of Group-D staff under Government of West Bengal;*

*c) To pass an order directing the respondent authorities to place all the records and documents pertaining to the selection/recruitment process of West Bengal Group-D Recruitment, 2017 before this Hon'ble*

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*Tribunal;*

*d) An order directing the respondent authorities to keep one post of Group-D staff be vacant till disposal of this application; .....*”

After the matter was admitted directions were issued to file reply and rejoinder. Reply and rejoinder have been filed and are on record.

Heard Mrs. S. Mitra, learned advocate for the applicant and Mr. S. Bhattacharjee, learned advocate for the West Bengal Group-D Recruitment Board. The question which requires for consideration is whether the applicant furnished the OBC-A caste certificate issued by the competent authority as stipulated in the interview call letter, being annexure F to the original application.

In order to appreciate the issue, the relevant portion of the “important instruction” in the interview call letter is set out herein below :-

*“c. In case of candidates from SC/ST/OBC-A/OBC-B category, Caste Certificate issued by the competent authority. The certificate of OBC-A/OBC-B category should not be older than one year. Candidates possessing these certificates issued one year before the date of interview, should produce revalidated OBC-A/OBC-B certificate before the Testimonial Checking Section of the Group D Recruitment Board. Candidates who fail to produce the latest OBC-A/OBC-B certificate will not be entitled to get the reservation facilities under*

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*OBC-A/OBC-B. ....”*

It appears that the result of the applicant was withheld due to non-submission of requisite documents by the applicant in support of his candidature and was advised to be in touch with the Board office and was also advised to follow the website of the Board regularly as evident from annexure B of the original application.

In this regard, it is appropriate to refer to paragraph 9 of the reply filed by the Board which is as under :-

*“9. Statements made in paragraph 6 (x) of the said application are matters relate to record. I do not admit anything barring what would appear from the record.*

*The final result was published on 18/08/2018 i.e., after nearly 9 months from the date of interview of the applicant (23/11/2017). But till then the applicant did not produce revalidated/renewed caste certificate. During that period, the Board issued several notifications in its official website ([www.wbgdrb.in](http://www.wbgdrb.in)) to draw the attention of the “PROVISIONALLY ELIGIBLE” candidates for immediate submission of the pending documents, failure of which the candidature will be cancelled. In spite of that, the applicant, had not submitted his revalidated/renewed OBC-A caste certificate to the Board office.*

*At that juncture of time the result was published. At the time of publication of result, the Board again gave the applicant another chance to produce his pending document by keeping his candidature as*

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*“withheld due to non submission of requisite documents”.*

The said paragraph of the reply has been dealt with in paragraph 6 of the rejoinder, which is as follows :-

*“6. The statement made in paragraph no.9 of the said reply are denied and disputed by me. I emphatically denied the statement that I had not submitted revalidate / review OBC-A caste certificate to the board office as alleged at all. In any event I say that after going through the aforesaid records in the website of the recruitment board against my roll number asking me to submit the relevant records. I have contacted with the officials of the office of the recruitment board and thereafter I have submitted a current certificate of my said OBC-A certificate (i.e. certificate dated 30/11/2017) before the board and in this regard I repeat and reiterate the statement made in paragraph no. 6(x) of my said application.”*

Though the applicant has stated that he submitted a current OBC-A certificate dated 30<sup>th</sup> November, 2017 before the Board, however, a copy of which has not been annexed to the rejoinder. Therefore, it appears that the applicant did not furnish the updated OBC-A certificate as was stipulated in the interview call letter. Therefore, no order is passed on this application. The application is disposed of.

(SAYEED AHMED BABA)  
MEMBER (A)

(SOUMITRA PAL)  
CHAIRMAN

S.M.

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