

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Mrs. Urmita Datta (Sen), Member(J)****The Hon'ble Mr. P. Ramesh Kumar, Member(A)****Case No – OA- 1018 OF 2018.****Sadikul Islam. Vs The State of West Bengal & Others.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>01</p> <hr/> <p>21/12/2018</p>	<p>For the Applicant : Mr.Supreem Naskar, Advocate.</p> <p>For the State Respondents: Mr. G.P. Banerjee, Mr. S. Roy Chowdhury, Advocates.</p> <p><i>The instant application has been filed basically praying for a direction upon the respondents to issue call letter to the applicant and allow him to participate in the selection procedure as per advertisement No. R/MT/Phar/Physio./48/3/2018 whereby on line applications were invited for the selection of Pharmacist Grade III. According to the applicant as he has satisfied all the criteria and he is appearing for the same and he has waited for the Admit Card as the examination is scheduled to be held on 23.12.2018. But, till date he has not received any Admit Card. Thereafter, he searches the internet. He has also contacted to the Facilitation Centre as mentioned in Website (Annexure F) wherefrom he was told that who have only from the University of the West Bengal, they will be allowed to appear in the examination. Therefore, being aggrieved with he has filed the instant application.</i></p>	

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Sadikul Islam .

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	<p><i>During the course of the hearing, the Counsel for the applicant has also placed certificate issued by the West Bengal Pharmacy Council wherein he has been granted A category registration on 18.07.2018 by the West Bengal Pharmacy Council. The counsel for the respondents today has submitted that though initially Admit Card was not issued to the applicant he did not possess the qualification from the Universities of the West Bengal. However, vide the Memo No.HPT/2P-71-2018/A-6544 dated 19.12.2018, the Director of Health Services has communicated to the Secretary &amp; Controller of Examinations, West Bengal Health Recruitment Board stipulating inter alia;</i></p> <p><i>“ In connection with the subject matter and reference stated above, this is to inform you that the registerable qualification under Pharmacy Act, 1948 are i) D. Pharm Course (2 years &amp; 500 hours practical training after 10+2), ii) B. Pharm Course (4 years after 10+2) &amp; iii) Pharm. D Course (6 years course after 10+2) provided they obtained the qualification from an institution approved by the PCI u/s.12 of the Pharmacy Act, 1948. Thus it appears</i></p>	

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MIHIR/GM	<p><i>that the candidates having A category registration under West Bengal Pharmacy Council, irrespective from the institution they obtained the qualification, are eligible for the post.”</i></p> <p><i>Therefore, he may be eligible for appearing in the examination subject to the fulfilment of the other criteria stipulated in the Notification. We have heard both the parties and perused the records specially the Memo dated 19.12.2018 as well as 18.07.2018.</i></p> <p><i>In view of the above, the respondent No.3 is directed to allow the applicant to appear in the examination scheduled to be held on 23.12.2018 by issuance of Admit Card immediately subject to the fulfilment of other criteria stipulated in the Notification for the post of Pharmacist Grade III. Accordingly, the OA is disposed of with no order as to cost.</i></p> <p><i>Plain copy.</i></p> <p><b>P. RAMESH KUMAR MEMBER(A)</b>                      <b>URMITA DATTA (SEN) MEMBER(J)</b></p>	