

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – O.A. 986 of 2019

JAJNASENI DESHBANDHABI Vs The State of West Bengal & Ors.

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>5</p> <hr/> <p>13.02.2020</p>	<p>For the Applicant : Mrs. Tanushree Roy, Mr. Arka Nandi, Advocates</p> <p>For the State Respondent: Mr. S. Ghosh, Advocate</p> <p>Affidavit of service filed today be kept on record.</p> <p>In this application Jajnaseni Deshbandhabi, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:</p> <p>“a. A direction directing the respondent authorities to issue a reciprocal certificate in respect of Nursing and Midwifery obtained from B.G.S. Academy Institute of Nursing in favour of the applicant.</p> <p>b. A direction directing upon the respondent authorities to allow the applicant to join the Hospital and continue her regular course of service without any interruption and further be directed to pay the applicant due salary as admissible.</p> <p>It appears that the applicant had passed Secondary Examination from the West Bengal Board of Secondary</p>	

ORDER SHEET

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>Examination in the year 2004. In the year 2007 she passed the Higher Secondary Examination from Nababharat Shiksha Parishad (NSP), Odisha, which according to the applicant, was recognised by the UGC. Thereafter the applicant got admission in B.G.S. Academy Institute of Nursing under Karnataka State Nursing Council and passed her Nursing and Midwifery course in the year 2018 and became eligible for being appointed in the post of Staff Nurse in a Hospital. In 2018 a notification was issued by the West Bengal Health Recruitment Board for recruitment of Staff Nurse Grade II and the applicant applied for the post. The applicant appeared in the interview. The applicant was declared qualified and was issued with an appointment letter on 1st February, 2019. On 8th February, 2019 she joined the SSKM Hospital, Kolkata.</p> <p>After she joined, the applicant was orally intimated by the hospital authorities that as she had completed Nursing Training Course from a University situated outside West Bengal, she has to collect reciprocal certificate from the West Bengal Nursing Council for authentication to continue in service. The West Bengal Nursing Council declined to issue reciprocal certificate on the ground that Nababharat Shiksha Parishad (NSP), Odisha, from where she passed the Higher Secondary Examination, is a fake university.</p> <p>Mrs. Tanushree Roy, learned advocate for the applicant submits as the institute in the relevant point of</p>	

ORDER SHEET

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
SCN.	<p>time was recognised by U.G.C., appropriate order may be passed directing the respondent authorities to issue reciprocal certificate and to allow her to join the hospital and continue with the service.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the State respondents submits that in the appointment letter dated 1st February, 2019 it has been clearly mentioned that the candidates must produce their Registration Certificate from West Bengal Nursing Council of West Bengal at the time of joining and as it is evident from pages 29 to 34 that Nababharat Shiksha Parishad (NSP), Odisha is a fake university as declared by the UGC and as the applicant had passed the Higher Secondary Examination from the said institution, no order may be passed.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances as we find that Nababharat Shiksha Parishad (NSP), Odisha wherefrom the applicant had passed the Higher Secondary Examination in the year 2007, is a fake university declared by the U.G.C., no order can be passed on this application. The application is dismissed.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	