

**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 – OA – 179 OF 2019

**SUSANTA ROY 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>3</p> <hr/> <p>04.04.2019</p>	<p>For the Applicant : Mr. M.N. Roy, Mr. G. Halder, Advocate</p> <p>For the Respondents: Mr. G.P. Banerjee, Advocate</p> <p>In this application, the applicant, who had applied for the post of Inspector of Drugs under the Health &amp; Family Welfare Department, Government of West Bengal, pursuant to an advertisement dated 22<sup>nd</sup> February, 2016, being annexure “A” to the application, - has prayed for a direction upon the respondents to issue appointment letter for the post of Inspector of Drugs. Mr. M.N. Ray, learned advocate submits that since the applicant fulfils the essential qualifications, particularly (A) (ii) of the advertisement, which is evident from pages 23 and 24 of the application, appropriate order may be passed.</p> <p>Mr. G.P. Banerjee, learned advocate appearing on behalf of the respondents, submits that on a closer scrutiny of the annexures at page 23 and 24 of the original application it is evident that the applicant does not fulfil minimum total five years experience from a recognised institution in manufacturing or testing of drugs.</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>Heard Mr. Roy and Mr. Banerjee. In order to answer the issue it is appropriate to refer to essential qualification (A) (ii) which is set out hereunder :</p> <p>“A. <u>Essential</u> :</p> <p>.....(ii) Experience of work in recognized institutions in the manufacture or testing of drugs or enforcement of the provisions of the Drugs and Cosmetics Act, 1940 (23 of 1940) for a minimum total period of five years.”</p> <p>It is evident from the experience certificate issued by the Fresenius Kabi Oncology Limited appearing at page 23 of the application, that the applicant had worked from 4<sup>th</sup> October, 2010 till 30<sup>th</sup> March, 2013. However, the certificate issued by TCG Lifesciences Private Limited, appearing at page 24 of the application, regarding experience of work, does not mention the length of service. Therefore, it cannot be said that the applicant has fulfilled five years experience of work in recognised institution in manufacturing or testing of drugs. Hence, no order is passed on this application. The application is disposed of.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	