

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

The Hon'ble Smt. Urmita Datta (Sen), Member (J)

& The Hon'ble P. Ramesh Kumar, Member (A)

Case No QA-536 of 2018**Firoj Sk –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 style="text-align: center;"><u>02</u> 18.07.2018</p>	<p><i>For the Applicant : Mr. F. Rahaman, M. Islam, Advocates.</i></p> <p><i>For the Respondent No. 2: Mr. A.L. Basu, (PSC, W.B.) Advocate.</i></p> <p><i>The instant application has been filed mainly challenging the notification dated 9th April, 2018. According to the applicant, erstwhile Staff Selection Commission had issued one advertisement No. 04/WBSCC/2016 (Annexure 4) inviting for application to the post of Krishi Prayayukti Sahayak. In the same notification, method of selection has been stipulated as written examination of 150 marks (Part – I - 120 marks and Part – II - 30 marks). It is further stipulated in the said notification, which is as follows:</i></p> <p style="text-align: center;"><i>“Scheme of Recruitment:-</i></p> <p style="text-align: center;"><i>(i) Candidates shall have to appear at a Written Examination of 150 marks (Part - I: 120 Marks and Part - II: 30 marks), Duration of the written examination will be 90 minutes.</i></p> <p style="text-align: center;"><i>(ii) Part - I will consist of Multiple Choice Objective Type Questions. There will be 120 questions,</i></p>	

ORDER SHEETFiroj Sk
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.....Case No. OA-536 of 2018

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	<p><i>carrying 1 mark each. There will be negative marking of 0.25 mark for each wrong answer.</i></p> <p><i>(iii) Part - II will consist of a single descriptive type question (writing of Precis from a given English passage).</i></p> <p><i>NOTE I: Candidates have to mark answers in respect of Multiple Choice Objective Type Questions of Part - I in one side of OMR Answer Script, whereas they shall have to write the descriptive question pertaining to Part - II on the reverse side of the OMR in the space allocated for that purpose.</i></p> <p><i>(iv) Answer scripts of Part - II will be evaluated only for those candidates, who will be shortlisted, Category - wise, by the Commission on the basis of marks obtained by them in Part - I.</i></p> <p><i>(v) Final merit list for written examination will be prepared by aggregating marks of Part - I and</i></p>	

ORDER SHEET

Firoj Sk

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	<p style="text-align: center;">Part - II.</p> <p>NOTE II: Candidates must secure qualifying marks fixed by the Commission in the Part - I and Part - II.</p> <p>NOTE III: Qualifying marks fixed for Part - II will be as the following:-</p> <p>→For Unreserved Candidates /BC A / BC B Category: 10 Marks</p> <p>→For Candidates belonging to SC Category : 7 Marks</p> <p>→For Candidates belonging to ST Category: 5 Marks"</p> <p><i>According to the applicant, he applied for the said post and was qualified in the Part - I examination and also appeared in the Part- II. However, he has not been called for interview, in the mean time, Staff Selection Commission was repealed and the selection process was entrusted to Public Service Commission, West Bengal.</i></p> <p><i>On 09.04.2018, the Public Service Commission has issued a notification, which is as follows:-</i></p> <p style="text-align: center;"><i>"The Commission may fix qualifying cut-off</i></p>	

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	<p><i>marks for all the categories of vacancies in each level of the examination i.e. Part - II, Interview, Aggregate.”(Annexure A/3)</i></p> <p><i>According to the applicant, this notification has created an apprehension to the applicant since in the earlier notification, it was clearly stipulated 10 marks for BC A candidates in Part - II examination. Moreover, he has not been called for interview therefore he is of the apprehension that Public Service Commission has increased the qualifying/cut-off marks and therefore he has been deprived of the selection. Being aggrieved with, he has filed the instant application.</i></p> <p><i>We have heard both the parties and perused the records.</i></p> <p><i>The counsel for the respondent No. 2 submits that Public Service Commission has not changed the qualifying marks in Part - II. As per instruction, the counsel for the respondent No. 2 has submitted that the petitioner has not secured the qualifying marks in Part - II. Therefore, he was not being called for interview.</i></p>	

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A.K.P.	<p><i>In view of the above, the counsel for the Public Service Commission is directed to produce the cut-off marks stipulated by the Public Service Commission for Part – II examination as well as the marks obtained by the applicant in Part II by the next date in sealed cover.</i></p> <p><i>The counsel for the applicant has prayed for leave to make necessary correction in the Cause Title. Leave is granted.</i></p> <p><i>Let the matter be listed on 24.07.2018.</i></p> <p><i>Plain copy.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	