

HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.14 of 2024

Pritam Debnath

....Petitioner(s)

Versus

The State of Tripura and 5 Ors.

....Respondent(s)

For the Petitioner(s)	:	Mr. D. Paul, Advocate
For the Respondent(s)	:	Mr. M. Debbarma, Addl. GA

HON’BLE MR. JUSTICE ARINDAM LODH

Order

22/04/2024

Heard Mr. D. Paul, learned counsel appearing for the petitioner. Also heard Mr. M. Debbarma, learned Addl. GA appearing for the respondents-State.

By way of filing the present writ petition, the petitioner has sought for a direction to be passed by this Court upon the respondents to appoint him to the post of Junior Operator(Pump).

Briefly stated, the respondents have issued a notification for appointment of Junior Operator(Pump) and other required posts. In the said advertisement there was an eligibility criteria, which is as under:

VACANCY DETAILS		
****	*****	****
Eligibility criteria	Name of the Post	Details of essential qualification
	Junior Operator(Pump)	<u>Common for Junior Operator (Pump) and Junior Multi Tasking Operator(Un-common) i.e.</u> (a) Madhyamik or equivalent examination passed from any recognized Board/ Institution. And (b) National Trade Certificate (NTC) issued by National Council for Vocational Training (NCVT) in any of the following trade(i) Welder (Gas & Electric), (ii)Plumber,(iii)Turner,(iv)Fitter, (v)Mechanic Diesel, (vi)Pump Operator cum Mechanic, (vii)Wireman, (viii)Electrician
	Junior Multi Tasking Operator (un-common)	

The petitioner had applied for the post of Junior Operator(Pump). At the time of interview, that was held on 31.01.2023, the petitioner appeared before the Interview Board and furnished his National Trade Certificate before the Selection Committee. Thereafter, the respondents had published the selection list where he found that his name was missing. Thereafter, the petitioner submitted an application under RTI Act for furnishing him information as regards the total marks he obtained. He found that he secured more marks than the candidates who were appointed. He submitted representation to the respondents and having found no response he filed the present writ petition.

On consent of both the parties, today the matter has been taken up for hearing at the admission stage.

Mr. Paul, learned counsel for the petitioner has submitted that in the counter affidavit, the respondents have taken a plea that the name of the petitioner was not considered since he did not submit his National Trade Certificate on the last date of submission of application, which was mandatory for the said post. But, according to Mr. Paul, learned counsel for the petitioner, the petitioner was having the National Trade Certificate at the time of interview and he furnished the same before the Interview Board, but, his name was not included in the selection list despite the fact that he secured more marks than other selected candidates.

Mr. Paul, learned counsel for the petitioner has drawn my attention to the general instructions mentioned in the advertisement where at para 1(c) it is clearly stated that *"Candidates will not have to upload any certificates other than passport size photograph and signature"*. In view of this, he did not furnish any certificates with his application.

Mr. Debbarma, learned Addl. GA for the respondents-State to counter the submissions of Mr. Paul, learned counsel for the petitioner has submitted that on the last date of submission of application, the petitioner was not having qualification for applying for the post of Junior Operator(Pump) as he was not having National Trade Certificate on the last date of submission of application, one of the essential criteria in terms of the advertisement.

It was due to the fact, the name of the petitioner was not considered for inclusion in the selection list.

Mr. Debbarma, learned Addl. GA has drawn my attention to the National Trade Certificate granted in favour of the petitioner enclosed as Annexure-3 to the writ petition.

I have considered the submissions of learned counsels appearing for the parties.

At the outset, I have perused the National Trade Certificate issued in favour of the petitioner. It is apparent that the said certificate was issued on 25.02.2022. The last date of submission of application was on 12.03.2021. As such, it is clear that on the last date of submission of application, the petitioner was not having the essential criteria for the said post as narrated here-in-above.

In view of this, I do not find any merit in the present writ petition and accordingly, the instant writ petition stands dismissed.

JUDGE

Snigdha

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KAR

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by SAIKAT KAR
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