

04.02.2022
SL No. 113
Court No. 24
(P.M)

WPA 1103 of 2022

**Md. Tanbir Hossain
Vs
The State of West Bengal & Ors.
(Via Video Conference)**

Mr. Jahangir Badsha
... for the petitioner
Mr. Raja Saha,
Ms. Arpita Saha,
Mr. Sanjay Mukherjee
... for West Bengal State
Information Commission.
Mr. Ratul Biswas
... for the Board
Mr. S.T. Mina
... for the State

The grievance of the petitioner is that the West Bengal Board of Primary Education was not supplying the information sought for by him under the Right to Information Act, 2005.

The information sought for by the petitioner under the Right to Information Act, 2005 are as follows : -

- i) Please inform me how many appointment letters have been issued in favour of the candidates who appeared in the TET, 2014 from the year of 2017 and how long it had been continued by adopting illegal means and illegal procedure.
- ii) Please supply the copies of the answer scripts of the said candidates who were

given appointment for the post of Assistant Primary Teachers for I to V including of my answer script.

- iii) Please supply the copies of all appointment letters given to the candidates who appeared in the said TET, 2014 and inform me how many numbers of the candidates are trained and how many numbers of the candidates have been given appointment letters against them who are belonged to SC/ST and OBC A & B.
- iv) Kindly inform me how many total vacancies against the post of Assistant Primary Teacher for I to V are lying vacant after given appointment letters illegally in connection with TET 2014.
- v) I came to learn from the media and newspapers that corruption, illegal activities, manipulation, pick and choose up policy etc had been done and other illegal procedure and methods had been chalked out from the end of the authorities of West Bengal Government as admitted and alleged by an M.L.A. of W.B. in 2021 and if it be true, the candidates

like me who did brilliant score in the written test, have been deprived from natural justice resulting the said TET, 2014 is nothing but a conspiracy, trickery and bad in law for which the true candidates like me worth of joining for the said post have been deprived, suffered, and victimized. An inquiry may be started from the part of the Government of W.B and an order may kindly be passed in favour of the candidates like me who have been deprived from the said post. In this connection, kindly inform me whether a review team from the end of the W.B. Govt. will be constituted for considering my case and for others on the ground of depriving me and other few candidates who have been submitting grievances as well as prays by several applications and by case from 2017.

- vi) On the basis of all kinds of illegal activities and bad deeds done by the said Government regarding the said recruitment of 2014 for the said primary teacher posts please inform me the numbers and details of the candidates in

connection with the TET, 2014 who were not qualified even not appeared in the said TET and even not trained for said teacher posts where as they have been given appointment letters for the assistant primary teacher for I to V.

The Board has replied to the query raised by the petitioner by a communication dated 4th August, 2021.

Being aggrieved by the same the petitioner has preferred a first appeal and a second appeal and by a communication dated 3rd September, 2021 the Joint Secretary, School Education, Elementary Education Branch forwarded the prayer of the petitioner to the Secretary, West Bengal Board of Primary Education with a request to look into the matter and take necessary action with intimation to the department.

The petitioner submits that he is a TET empanelled candidate and the Board has intentionally and deliberately not offered appointment to him.

The submission of the petitioner appears to be thoroughly misconceived. The petitioner has not annexed any document to show that he qualified in TET Examination, 2014. Only the admit card for the TET Examination, 2014 has been annexed.

The petitioner has not annexed any document to show that he applied for recruitment pursuant to

the recruitment notice published by the Board of Primary Education.

The submissions and the averments made in the writ petition are half baked, frivolous and misconceived. The prayers are omnibus in nature. There is nothing to show that the petitioner ever participated in any of the recruitment processes initiated by the Board of Primary Education after the TET Examination, 2014 was conducted.

The writ petition is absolutely without any merits and is dismissed with cost of Rs. 5,000/- to be paid by the petitioner to the West Bengal Legal Service Authority within a fortnight from date. In default of payment of the aforesaid cost within the time as specified hereinabove, the petitioner's prayer for any further query/information from the Board will not be accepted.

The unserved envelope with the remark refused by the first appellate authority is retained with the records.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)