

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present- **The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

Case No. – CCP 35 of 2022 [OA 232 of 2019]

Meer Md. Yasin -- VERSUS – Dr. Rajesh Kumar, IPS, Pr. Secy., Deptt. of Correctional Administration.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Mr. G. Halder, Ld. Advocates.
<u>17</u> 03.04.2025	For the Contemnor/OP	: Mr. G.P. Banerjee, Ld. Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Roy, learned counsel prays for liberty to add the name of Dr. Rajesh Kumar, IPS as the alleged contemnor number 1(d). Let copy of the application along with copy of today's order be communicated to Dr. Rajesh Kumar, IPS, the Principal Secretary, Department of Correctional Administration.

Mr. Banerjee, learned counsel files copy of memo. no. 71-F (Law) dated 18.03.2025 enclosing a note of the Finance Department clarifying to the observations of this Tribunal in its order dated 12.11.2024 that the proposal was lying unattended with the Finance Department. This note clarifies that on several dates, the file was attended diligently by the Finance Department. Appearing at A1 of the note, it also mentions that no further communication was received from the Administrative Department since 22.07.2024.

From the above statement, the Tribunal also finds that the proposal which was earlier moved to the Finance Department is now lying with the Administrative Department and it needs to be resubmitted to the Finance Department. With this observation, the alleged contemnor is directed to examine the comments of the Finance Department in its last note and resubmit the matter before the Finance Department. The Tribunal is also viewing seriously that its direction in OA 232 of 2019 passed on 22.03.2022 is yet to be complied by the Administrative Department. Such compliance cannot be ignored on the excuse that the matter is pending before the Finance Department.

In the order dated 18.04.2024, Mr. Banerjee, learned counsel was advised to present a copy of the original proposal submitted by the

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Department to the Finance Department. Such a copy has not been presented before this Tribunal till date. Let such copy of the proposal be submitted before this Tribunal positively on the next date of hearing.

Let the matter appear under the heading "For Orders" on 25.08.2025.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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