

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 263 of 2023.

RABINDAR SINGH ROUTH-VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

03
08.01.2024

For the Applicant : Mr. A. K. Das Sinha,
Learned Advocate.
For the State Respondents : Mrs. S. Mitra,
Learned 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.

On consent of the learned counsel for the contesting parties, the case is taken up for consideration sitting singly.

Mr. A. Das Sinha presses only the prayer relating to absorption of the applicant for the post of a constable. It is submitted that the applicant was appointed as a boy bugler in 1985 and served in the same post for the past thirty-five years. Emphasis is made on an entry in his service roll appearing at page 19 that the applicant was appointed as a boy bugler against the existing vacancy of constable in the exempted category. Further attention is drawn to Regulation 746(c) of Police Regulation of Bengal, 1943, which is as under :-

“.....Buglers and armourers belong to the rank of constable, - Bugler boys may be recruited for training as buglers on a reduced pay against vacancies in the rank of constable and be subsequently drafted into the ranks....”.

Having been appointed as a boy bugler against the vacancy in the police constable, the applicant as submitted by Mr. Sinha, has been submitting his representations before the respondent authorities praying for absorption as a constable bugler. Copies of such representations dated 17.12.1996 and 17.1.2014 are enclosed in this application. It appears such applications have also been received by the

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respondent – Superintendent of Police, Murshidabad, but till date these have not been considered. Mr. Das Sinha refers to a direction of this Tribunal in similar matters which appear in OA 192 of 2021 (Bikash Ganguly-Vs- The State of West Bengal & others) and prays for a direction to the respondent no. 4 – the Superintendent of Police, Murshidabad.

Appearing on behalf of the respondent authorities, Mrs. S. Mitra, learned counsel submits that if similar direction be given to the respondent authorities, the same will be complied as per rules.

Having heard the submissions of the learned counsels, this application is disposed of by directing the respondent no 4 - the Superintendent of Police, Murshidabad to consider the prayer in this application for absorption of the applicant to a post of constable bugler as per rules and as per his eligibility within a period of four months from the date of communication of this order.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Skg.