

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. – OA 588 of 2023

Sanjoy Sengupta & Ors. -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. A. Maiti, Mr. S. Bhattacharjee, Ld. Advocates.
<u>01</u> 25.08.2023	For the State respondent	: Mr. M. N. Roy, 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.

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

Affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authorities to allow the applicants to participate in the recruitment process being conducted by West Bengal Police Recruitment Board for the post of warders / female warders under the Department of Correctional Administration. From the submission of Mr. Maiti, it appears that the advertisement published by the respondent authority has capped 27 years as the upper age limit, whereas the applicants are more than 27 years old. Prayer is for allowing them to participate in this recruitment process by filing their applications offline. Mr. Maiti refers to Notification No. 875-F(P) dated 13.02.2017 which is the amendment of the West Bengal Services (Raising of Age Limit) Rules, 1981. Submission is that as per this notification, the upper age limit for recruitment to Group – 'C' and Group – 'D' posts is 40 years.

In response to Mr. Maiti's submissions, Mr. Roy refers to Notification No. 1943 dated 09.03.2015. In terms of this notification, it appears that the Government has fixed the age limit for the post of warders / female warders as minimum 18 years and maximum 27 years with relaxation for candidates belonging to Scheduled Caste / Scheduled Tribe and Other Backward Classes.

Referring to the Notification 875-F(P) dated 13.02.2017, Mr. Roy

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submits that such upper age limit prescribed in the notification is meant for civilian posts and not uniform posts. The post of warders / female warders is not a civilian post.

Heard the learned counsels for the parties, the matter is admitted.

Let the matter appear under the heading “**Admission Hearing**” on **27.09.2023.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SM