

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA 630 of 2022

Moumita Marjit and Others. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicants	: Mr. J. Khan, Advocate.
<u>01</u> 21.09.2022.	For the State Respondents	: Mr. D. Kole, Advocate.

Affidavit of service filed today be kept on record.

Mr. J. Khan, learned advocate for the applicants prays for correction of the defective portion of the prayer during the course of this day. Prayer is allowed.

In this application 31 applicants have prayed for a direction to the respondent to grant status of “Trainee Reserve” to them for joining the General Nursing and Midwifery (GNM) Course 2022 in different colleges. Mr. Khan praying on behalf of the applicants submits that the applicants have worked as Health Assistant (Female) for more than three years on regular basis. After due approval, the applicants had appeared for the Common Entrance Test for ANM (R) and GNM Courses -2022. After being successful in the Entrance Test, they have been allotted different colleges through centralised e-counselling centres. Now, in order to join the course, the applicants have requested the respondent to grant them the status of “Trainee Reserve” as per the West Bengal Nursing Personnel (Placement on Trainee Reserve) Rules, 2009. They have submitted their representations through proper channel. Submission is that despite such representation the respondents are not considering their cases. As a result, the applicants’ apprehension is that if the “Trainee Reserve” is not granted, they might lose the allotted seats for the GNM Course.

Mr. Khan also submits that due to the delay in granting of the Trainee Reserve, some colleges are now refusing to admit the successful

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candidates.

In reply, Mr. D. Kole, learned advocate appearing for the State respondents prays for leave to file reply on behalf of the respondent nos. 1, 2 and 3.

Mr. Khan prays for a direction to the respondent to protect the seats which have already been allotted to the applicants till disposal of this case.

After hearing both the learned advocates and considering the facts and circumstances of the matter the respondent no. 2 – The Director of Health Services, Government of West Bengal is directed to consider the application for granting of “Trainee Reserve” submitted by each applicant in the ambit of West Bengal Nursing Personnel (Placement on Trainee Reserve) Rules, 2009, if they are eligible and if exigencies of the medical service in the state allow. Such reasoned order of the Respondent No. 2 shall be completed within a period of four weeks from the date of this order to be obtained from the Tribunal’s website. Until disposal of the matter by the Tribunal, the respondent no. 2 – The Director of Health Services, Government of West Bengal is also directed to protect the seats which have already been allotted to the applicants till disposal of their representations from the end of the respondent. The decision of the reasoned order to be issued by the respondent no. 2 shall be communicated to the applicants within one week thereof.

Accordingly, the case is disposed of.

S.M.

(SAYEED AHMED BABA)
MEMBER(A)

ORDER SHEET

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