

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Ranjit Kumar Bag, Member (Judicial)
& The Hon'ble Dr. Subesh Kumar Das, Member (Administrative)
Case No –OA 898 OF 2019

Sanjib Goswami & Another Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>3</p> <hr/> <p>05.02.2020</p>	<p>For the Applicant : Mr. G.P. Banerjee, Learned Advocate.</p> <p>For the Respondents: Mr. G. Halder, Learned Advocate.</p> <p>For A.G. (A & E), W.B. : Mr. B. Mitra, Departmental Representative.</p> <p>Affidavit of service filed on behalf of the applicants is kept on record.</p> <p>The applicants have prayed for direction upon the respondents for upgradation of their scale of pay as recommended to the Departmental Secretary by the Commandant, Border Wing Home Guards Battalion, West Bengal on December 18, 2013 and other consequential reliefs.</p> <p>The contention of the applicants is that they joined as Despatched Rider of Border Wing Home Guard Battalion under the Department of Civil Defence in the year 1987. While the applicant No. 1 joined in the service on May 14, 1987, applicant No. 2 joined in the service on July 22, 1987. The further contention of the applicants is that they have been receiving pay scale applicable to the Constables of Police from time to time by virtue of memorandums issued by the Department of Civil Defence, Government of West Bengal. However, the scale of pay applicable to the Constables of Police was not granted in favour of the</p>	

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	<p>applicants in spite of recommendation of the same by the Commandant, Border Wing Home Guards Battalion to the Principal Secretary to the Government of West Bengal, Department of Civil Defence under memo No. 573/C/2202 dated December 18, 2013.</p> <p>Mr. Banerjee, Learned Counsel for the applicants contends that out of six (06) persons working as Despatch Rider of Border Wing Home Guard Battalion, four (04) have already received the pay scale applicable to the Police Constables in terms of the order dated June 6, 2016 passed by this Tribunal in OA 391 of 2016.</p> <p>Mr. Halder, Learned Counsel for the State respondents submits that the present applicants are similarly circumstanced with the applicants of OA 391 of 2016 and as such they are entitled to get the benefit which was given to the applicants of OA 391 of 2016.</p> <p>In view of above submission from the Bar, we direct the respondent No. 1, Additional Chief Secretary to the Government of West Bengal, Department of Home and Hill Affairs to consider the recommendation made by the Commandant, Border Wing Home Guard Battalion before the Principal Secretary to the Government of West Bengal, Department of Civil Defence, on December 18, 2013 (page 27 of the original application) for upgradation of the pay scale of the Despatch Rider at par with the Police Constables of Armed Police of West Bengal in accordance with law by passing a reasoned order within a period of twelve weeks from the date of communication of the order and take necessary follow-up action</p>	

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Rajib	<p>within a period of eight weeks thereafter.</p> <p>With the above direction, the original application stands disposed of.</p> <p>Let a plain copy of the order be supplied to both the parties.</p> <p>S.K. Das Member (A)</p> <p>R.K. Bag Member (J)</p>	

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