

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,

Case No. - OA 167 OF 2025

RAMESH CHANDRA HAZRA - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

01
21.04.2025

For the Applicant : Mr. Manujendra Narayan Roy
Mr. Gourav Haldar
Mrs. Priya Sasmal
Advocates

For the State Respondents : Mr. Goutam Pathak Banerjee
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.

The prayer in this application is for quashing / setting aside the decision of the meeting of Suspension Review Committee held on 13.03.2025. Attention has been drawn to the impugned order which is the minutes of the meeting of the Review Committee to review the suspension order passed earlier on Ramesh Chandra Hazra, formerly Inspector of Police, DIB, Bankura.

A reading of this impugned order suggests that such a meeting was held in terms of a direction of this Tribunal in OA-638 of 2024. The Committee in this meeting decided to extend the suspension order and also enhance the subsistence allowance amounting of 75% of his basis pay. It also records the next review will be held after 180 days, if necessary.

Mr.M.N.Roy, learned counsel for the applicant has argued that in

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terms of the Notification No. 9266 dated 16.11.2012, the Principal Secretary / Secretary / Cadre Controlling Authority was required to chair such a meeting, but in this case, the Additional Director General of Police (Law & Order) who also happens to be the Disciplinary Authority in this matter has chaired this meeting, deviating from the Notification. Mr.Roy has also points out that, as can be observed in this impugned minutes, the Additional Director General of Police (Law & Order) has chaired the meeting as Chairman as well as acted as the Member Secretary of the Committee. He has also pointed out that such enhancement of the subsistence allowance to 75% of the basic pay was awarded earlier on 20.12.2024. Mr.Roy is also aggrieved that in this minutes, no ground has been stated for extension of the suspension order.

Appearing on behalf of the respondent authorities, Mr.G.P.Banerjee, learned counsel submits that the Additional Director General of Police (Law & Order) chaired the meeting in his capacity as the Cadre Controlling Authority. By virtue of his being the Disciplinary Authority, he also had to act as the Member Secretary of the Committee. Therefore, there is no deviation from the Notification No. 9266-F(P). Mr.Banerjee has also submitted that the Committee found sufficient grounds for extension of the suspension order.

Having heard the submissions and examined the impugned Minutes of the Meeting, the Tribunal finds that the Committee reviewed the suspension order and took the decisions. The Tribunal does not find any infirmity or illegality in such action. What is more important and relevant is that, in terms of a direction of this Tribunal, a Meeting of the Committee was held and the order of suspension was reviewed.

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Thus, finding no merit in the prayers of the applicant, this application is disposed of without any orders.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR