

OFFICE OF THE DISTRICT JUDGE, BANKURA

ENGLISH DEPARTMENT

ORDER NO. 205 DATED: 30.11.2023

Partial Modification of Order No. 95 dated 06.07.2022

In compliance with the direction of the Hon'ble High Court regarding implementation of the recommendations of the Shetty Commission vide letter no. 2507-RG dated 06.05.2022, promotional Order being No. 95 dated 06.07.2022 was passed by this Office.

In Order No. 95 dated 06.07.2022, promotion was accorded to the respective Members of Staff in accordance with conventional policy of promotion till 06.07.2021, i.e., prior to the publication of The West Bengal District Court (Constitution of Service, Recruitment, Appointment, Probation and Discipline of Employees) Rules, 2015, known as Court Rules 2015 being affected but after 06.07.2021 promotion was accorded to the incumbents against the conventional policy of promotion.

However, in the Court Rules 2015, no apparent bar has been set regarding promotion of the Members of Staff to the post of Bench Clerk Grade-III, Grade-II, Grade-I and to any other higher post from the respective lower feeder posts. In the said Court Rules-2015, while giving promotion to the post of Upper Division Clerk from the post of Lower Division Clerk the qualification criteria has been set as '*a degree granted by a university established by law in India*' but in the said Rules it is nowhere mentioned that the same spirit should be followed while according promotion to the upper posts, i.e., the post of Bench Clerk Grade-III, Grade-II, Grade-I and so on, instead the criteria has been set as '*Seniority-cum-Merit*'.

In such circumstances, in compliance with the direction of the Hon'ble High Court, Calcutta, in view of the Order dated 06.07.2023 in connection with WPA No. 23592 of 2022 & Orders dated 08.06.2023 in connection with W.P.A. No. 24068 of 2022, W.P.A. No. 23630 of 2022, W.P.A. No.23636 of 2022 and W.P.A. No.24111 of 2022, all passed by the Hon'ble Justice Lapita Banerji, Hon'ble High Court, Calcutta and in the interest of public service, the undersigned is left with no choice but to continue with the standard procedure of recruitment after giving all due promotions to the respective incumbents after determining the actual vacancy of this Judgeship and to do that, this Office earlier Order No. 95 dated 06.07.2022 is needed to be modified partially.

To avoid discrepancy regarding promotion of the ministerial staff in future, the Order No. 95 dated 06.07.2022 is hereby modified partially in accordance with the policies framed in the Court Rules-2015 and considering the respective incumbents for promotion as per 'Seniority-cum-Merit' from the Combined Gradation List published as on 01.01.2021 of the Members of Staff of the Judgeship of Bankura, to the post of Bench Clerk Grade-III, Grade-II, Grade-I and Junior Sheristader from the respective lower feeder posts, as mentioned hereunder. Until further direction comes from the appropriate authority, no retrospective effect of the policies frame in Court Rules 2015 regarding qualification of the incumbents while giving promotion shall be considered till 06.07.2021. After 06.07.2021 the policies frame in Court Rules 2015 shall be followed.

In page No.5, Category - C of Junior Sheristadar - serial no. 60 -63. In page no. 6, Category- D of Bench Clerk- Grade-I - serial no. 71-77. In page no. 7, Category-E of Bench Clerk- Grade-II as per previous Order No. 21 dated 27.01.2015 - serial no. 82-88. In page no. 9, in the Cadre of Head Clerk-cum-Translator, District Nazir, District Accountant and two Sub-Divisional Nazirs as arose from the post of Additional Supervisory level posts of the Head Clerk are included and such inclusion is followed as per provision of G.O. No. 4550 F (P) dated 11.06.2015 - serial No. 84 to 88 and in page nos. 10 & 11, Category- G, Bench Clerk Grade-III - serial No. 93 to 111.

The following incumbent concern, mentioned in the list in service are now being promoted from the date of effect against each after Partial Modification of Page No. 5 of Order No. 95 dated 06.07.2022, Category- C Junior Sheristadar in the Courts of Civil Judge (Junior Division) of Bankura Judgeship, Sl. No. 60 to 63.

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promotee) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|------------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 60. | Sourav Chatterjee | In Service (2) | 01.08.21 | 01.08.21 | Arun Kr. Pal | - | 01.08.21 |
| 61. | Shyamadas Dey Sarkar | In Service (3) | 01.09.21 | 01.09.21 | Uttam Kumar Satbhaya | 31.08.2021 | |
| 62. | Tapas Kumar Bandyopadhyay | In Service (4) | 01.11.2021 | 01.11.21 | Sk. Mobarak | 31.10.2021 | |

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promotee) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|-----------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 63. | Partha Sarathi Konar | In Service (5) | 01.11.21 | 01.11.21 | Shyamal Kr. Das | - | 01.11.21 |

The following incumbent concern, mentioned in the list in service are now being promoted from the date of effect against each after Partial Modification of Page No. 6 of Order No. 95 dated 06.07.2022, Category- D Bench Clerk Grade-I in the Court of District Judge and Additional District Judge of Bankura Judgeship, Sl. No. 71 to 77.

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promotee) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|------------|----------------|--------------------------------|------------|------------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 71. | Prabir Kr. Kar | In Service (1) | 01.02.2020 | 01.02.2020 | Uttam Kr. Satbhaya | - | 01.02.2020 |
| 72. | Utpal Kr. Singha | In Service (2) | 01.02.2021 | 01.02.2021 | Sadhananda Satbhaya | 31.01.2021 | - |
| 73. | Kartick Chandra Mondal | In Service (3) | 01.03.2021 | 01.03.2021 | Sk. Mobarak | - | 01.03.2021 |
| 74. | Debpal Kundu | In Service (4) | 01.08.2021 | 01.08.2021 | Sourav Chatterjee | - | 01.08.2021 |
| 75. | Shyamapada Murmu | In Service (5) | 01.09.2021 | 01.09.2021 | Shyamadas Dey Sarkar | - | 01.09.2021 |
| 76. | Purnendu Biswas | In Service (6) | 01.11.2021 | 01.11.2021 | Tapas Kr. Bandopadhyay | - | 01.11.2021 |
| 77. | Suman Banerjee | In Service (7) | 01.11.2021 | 01.11.2021 | Partha Sarathi Konar | - | 01.11.2021 |

The following incumbent concern, mentioned in the list in service are now being promoted from the date of effect against each after partial modification of Page No. 7 of Order No. 95 dated 06.07.2022, Category- E Bench Clerk Grade-II in the Court of Civil Judge (Senior Division)/Chief Judicial Magistrate/Additional Chief Judicial Magistrate as per Order No. 21 dated 27.01.2015 in the Judgeship of Bankura, Sl. No. 82 to 88.

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promotee) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|-----------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 82. | Arnab Palit | In Service (1) | 01.02.21 | 01.02.21 | Utpal Kumar Singha | - | 01.02.21 |
| 83. | Hela Shit | In Service (2) | 01.03.21 | 01.03.21 | Kartick Chandra Mondal | - | 01.03.21 |
| 84. | Sk. Abdul Mannan | In Service (3) | 01.08.21 | 01.08.21 | Debpal Kundu | - | 01.08.21 |
| 85. | Hemanta Prasad Soren | In Service (4) | 01.09.21 | 01.09.21 | Shyamapada Murmu | - | 01.09.21 |
| 86. | Sk. Akbar Hossain | In Service (5) | 01.11.21 | 01.11.21 | Purnendu Biswas | - | 01.11.21 |
| 87. | Amit Kumar Dhibar | In Service (6) | 01.11.21 | 01.11.21 | Suman Banerjee | - | 01.11.21 |
| 88. | Shibani Dey Karmakar | In Service (7) | 01.12.21 | 01.12.21 | Dipak Kumar Roy | 30.11.21 | |

The following incumbent concern, mentioned in the list in service are now being promoted from the date of effect against each after partial modification of Page No. 9 of Order No. 95 dated 06.07.2022, Category- F In terms of Rules, 2015, published in the 6th day of July, 2021, in the Cadre of Head Clerk-cum-Translator, District Nazir, District Accountant and two Sub-Divisional Nazirs as arose from the post of Additional Supervisory Level Posts of Head Clerk are included and such inclusion is followed as per provision of G.O. No. 4550-F (P) dated 11.06.2015, in the Judgeship of Bankura, Sl. No. 84 to 88.

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promoted) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|-----------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 84. | Subhra Sarkar | In Service (1) | 01.08.21 | 01.08.21 | Sk. Abdul Mannan | - | 01.08.21 |
| 85. | Avishek Saha | In Service (2) | 01.09.21 | 01.09.21 | Hemanta Prasad Soren | - | 01.09.21 |
| 86. | Akshay Kumar Pal | In Service (3) | 01.11.21 | 01.11.21 | Sk. Akbar Hossain | - | 01.11.21 |
| 87. | Sushobhan Mahato | In Service (4) | 01.11.21 | 01.11.21 | Amit Kumar Dhibar | - | 01.11.21 |
| 88. | Sanat Bauri | In Service (5) | 01.12.21 | 01.12.21 | Shibani Dey Karmakar | - | 01.12.21 |

The following incumbent concern, mentioned in the list in service are now being promoted from the date of effect against each after partial modification of Page Nos. 10 & 11 of Order No. 95 dated 06.07.2022, Category- G, Bench Clerk Grade-III in the Court of Civil Judge (Junior Division)/ Judicial Magistrate of the Judgeship of Bankura, Sl. No. 93 to 111.

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promoted) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|-----------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 93. | Subhra Sarkar | | 01.06.18 | 01.06.18 | Shyamapada Murmu | - | 01.06.18 |
| 94. | Rekha Dey | In Service (1) | 01.08.18 | 01.08.18 | Pradip Kumar Banerjee | - | 01.08.18 |
| 95. | Avishek Saha | - | 01.11.18 | 01.11.18 | Purnendu Biswas | - | 01.11.18 |
| 96. | Akshay Kumar Pal | - | 01.12.18 | 01.12.18 | Suman Banerjee | - | 01.12.18 |
| 97. | Sushovan Mahato | - | 01.12.18 | 01.12.18 | Dipak Kumar Roy | - | 01.12.18 |
| 98. | Sanat Bauri | - | 01.05.19 | 01.05.19 | Arnab Palit | - | 01.05.19 |
| 99. | Soumya Kanti Roy | In Service (2) | 01.05.19 | 01.05.19 | Hela Shit | - | 01.05.19 |
| 100. | Subhajit Bhattacharya | In Service (3) | 24.05.19 | 24.05.19 | Dilip Kumar Mandal | 24.05.19 | - |
| 101. | Sandip Das | In Service (4) | 01.08.19 | 01.08.19 | Sk. Abdul Mannan | - | 01.08.19 |

| Sl. No. | Name of the incumbent/Retired Govt. employee (Promoted) | Date of his/her | | Date of effect | Against whom post is filled up | Date of | |
|---------|---|-----------------|-----------|----------------|--------------------------------|------------|-----------|
| | | Retirement | Promotion | | | Retirement | Promotion |
| 102. | Manoj Chowdhury | In Service (5) | 01.08.19 | 01.08.19 | Hemanta Prasad Soren | - | 01.08.19 |
| 103. | Giridhari Karmakar | In Service (6) | 01.11.19 | 01.11.19 | Tapas Kumar Majhi | 31.10.19 | - |
| 104. | Amrit Kumar Mondal | In Service (7) | 01.02.20 | 01.02.20 | Sk. Akbar Hossain | - | 01.02.20 |
| 105. | Debabrata Chakraborty | In Service (8) | 01.02.21 | 01.02.21 | Amit Kumar Dhibar | - | 01.02.21 |
| 106. | Rudraditya Pan | In Service (9) | 01.03.21 | 01.03.21 | Shibani Dey Karmakar | - | 01.03.21 |
| 107. | Nihar Ranjan Gupta | In Service (10) | 01.08.21 | 01.08.21 | Avishek Saha | - | 01.08.21 |
| 108. | Praloy Mandal | In Service (11) | 01.09.21 | 01.09.21 | Akshay Kumar Pal | - | 01.09.21 |
| 109. | Sudip Mondal | In Service (12) | 01.11.21 | 01.11.21 | Sushobhan Mahato | - | 01.11.21 |
| 110. | Firoz Alam | In Service (13) | 01.11.21 | 01.11.21 | Sanat Bauri | - | 01.11.21 |
| 111. | Kiran Kumar Barik | In Service (14) | 01.12.21 | 01.12.21 | Soumya Kanti Roy | - | 01.12.21 |

Respective Heads of Offices are to take necessary steps for implementation of the fixation of pay of the incumbents, promoted to their post as mentioned above and as per unrevised and revised scale of pay mentioned in the Order No. 95 dated 06.07.2022 and as per their entitlement, according to this Order after observing all necessary steps of formalities.

An undertaking to this effect shall be obtained from the beneficiaries concerned by the Accounts Departments of the respective Courts stating that overdrawn amount, if any, due to cancellation and/ or change of date of promotion to the respective post of promotion occurs during fixation of pay in the future, will be recovered from the incumbent concerned forthwith. Incumbent concerned may draw their arrears from their respective date of effect.

The incumbent namely Firoz Alam mentioned in Serial No. 110 in page No. 11 in the Cadre of Bench Clerk Grade-III has already been released on 03.02.2023 vide Order No. 06 dated 02.02.2023 on Inter-District Transfer and the said post will be filled up through regular promotion as per existing rules.

The remaining portion of the Order No. 95 dated 06.07.2022 shall remain unchanged until further order.

This Order is made subject to the outcome of any pending Writ Petition, Review Petition and other relevant orders of the Hon'ble High Court, if any.

This Office earlier Orders passed as partial modification of Order No. 95 dated 06.07.2022 is superseded by this Order.

Inform all concerned accordingly.

District Judge's Office, Bankura.
The 30th day of November, 2023.

Sd/- Manojyoti Bhattacharyya
District Judge, Bankura.
30.11.2023


Memo. No. 3240 (30)/XII - 1

Office of the District Judge, Bankura.

Dated, Bankura, the 30th day of November, 2023.

Copy forwarded for information and taking necessary action to: -

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- (2) The Principal Secretary to the Government of West Bengal, Judicial Department, Writers' Buildings, Kolkata- 700001.
- (3-4) The Judge-in-Charge of Accounts and Nazareth Department, District Judge's Court, Bankura.
- (5-7) The Treasury Officer, Bankura/Bishnupur/Khatra.
- (8-11) The Additional District & Sessions Judge, 1st Court/2nd Court/3rd Court/Re-designated Court, Bankura.
- (12-13) The Additional District & Sessions Judge, Bishnupur/Khatra.
- (14-15) The Civil Judge (Senior Division)/ Additional Court, Bankura.
- (16-17) The Civil Judge (Senior Division), Bishnupur/Khatra.
- (18) The Chief Judicial Magistrate, Bankura.
- (19-20) The Additional Chief Judicial Magistrate, Bishnupur/Khatra.
- (21-23) The Civil Judge (Junior Division), 1st Court/2nd Court/ Additional Court, Bankura.
- (24-25) The Civil Judge (Junior Division), 1st Court/2nd Court, Khatra.
- (26) The Civil Judge (Junior Division), Bishnupur.
- (27) The System Assistant, District Judge's Court, Bankura for wide publication of the same in the District Court Website.
- (28-30) All Notice Boards of the Judgeship of Bankura Sadar/ Bishnupur/Khatra.


District Judge, Bankura.

30.11.2023

**District Judge
Bankura**