

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

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – O.A. 292 of 2019

**ASSOCIATION FOR THE EXTENSION OF MASS EDUCATION EXTENSION + ANR.**  
**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>2</p> <hr/> <p>24.04.2019</p>	<p>For the Applicant : Mr. G.F. Hossain, Advocate</p> <p>For the Respondents : Mr. G.P. Banerjee, Advocate</p> <p>For the P.S.C., West Bengal : Mr. A.L. Basu, Advocate</p> <p>Affidavit of service filed today be kept on record.</p> <p>It is submitted by Mr. G.P. Banerjee, learned advocate for the State respondents that in the order dated 10<sup>th</sup> April, 2019 his name has gone down by mistake as appearing for the applicant. Submission is he is appearing for the State respondent.</p> <p>Today at the very outset Mr. G. F. Hossain, learned advocate for the applicant submits that he is not pressing prayer (ii) and (iii).</p> <p>In this application the Association for the Extension Officer of Mass Education Extension and its President have filed this application for a direction upon</p>	

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	<p>the respondents not to proceed further with the selection process to fill up the posts of District Mass Education Extension Officer / Assistant Director / Chief Superintendent / State Welfare Home, Banipur which is scheduled to be held on 27<sup>th</sup> April, 2019, or on any other adjourned date. Referring to the notification dated 11<sup>th</sup> March, 2005 it is submitted by Mr. Hossain that as per rules of recruitment since the applicants have necessary educational qualifications and as rules stipulate that 55 % of the total cadre shall be filled up by promotion in consultation with the Public Service Commission, West Bengal from amongst the Extension Officers, Mass Education Extension, Grade I, including Ladies Extension Officer, Mass Education Extension Grade I and as by intimation dated 21<sup>st</sup> March, 2008, issued by the Director of Mass Education Extension, Government of West Bengal, addressed to the Principal Secretary, Mass Education Extension &amp; Library Service Department, Government of West Bengal, it has been suggested that an order may be issued regarding vertical mobility from Grade II to Grade I as it was overdue, appropriate order may be passed. In this regard our attention has also been drawn to order dated 4<sup>th</sup> June, 2008 issued by the Assistant Secretary, Mass Education Extension Department, Government of West Bengal requesting the Director to execute the promotion from Grade II level of EOMEE / LEOMEE to the Grade I</p>	

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	<p>level with immediate effect. Submission is as the applicants are working for more than thirteen years appropriate order may be passed staying the recruitment process.</p> <p>Mr. A.L. Basu, learned advocate for the Public Service Commission, West Bengal submits that the applicants are not eligible to participate in the selection process since they are not Grade I officers which is one of the basic requirement for being promoted to the post of District Mass Education Extension Officer under the Recruitment Rules. Moreover, no order has been issued pursuant to the intimation dated 25<sup>th</sup> March 2008 which requested for passing a clear order and to the intimation dated 4<sup>th</sup> June, 2008 whereby request was made to execute the promotion from Grade II level to Grade I level.</p> <p>Since the advertisement for recruitment was published in 2018 and this application has been filed belatedly on 8<sup>th</sup> April, 2019, and as the interview is going to be held on 27<sup>th</sup> April, 2019, no order may be passed.</p> <p>Mr. Banerjee, adopting the submissions of Mr. Basu, submits that as the applicants are not Grade I officers, they have no locus standi to move this application and the application may be rejected.</p>	

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SCN.	<p>Heard Mr. Hossain, Mr. Basu and Mr. Banerjee.</p> <p>Though it has been strenuously argued that the applicants have the requisite educational qualification, since appointment to the post concerned are to be filled up from Grade I officers and as the applicants are not Grade I officers, the prayers of the applicants cannot be accepted. Though it is submitted on behalf of the applicant that the notification dated 25<sup>th</sup> March, 2018 has come to light only recently, we are of the view that since the advertisement for recruitment was issued in 2018 it cannot be the ground for filing this application belatedly on 8<sup>th</sup> April, 2019 for staying the selection process which is to be held on 27<sup>th</sup> April, 2019.</p> <p>The letter dated 25<sup>th</sup> March, 2008, addressed by the Director of Mass Education to the Principal Secretary, relied on by the applicant, cannot come to the aid of the applicant as subsequently no order was issued.</p> <p>Hence, no order is passed on this application. The application is dismissed.</p> <p>Urgent photostat certified copy of this order be furnished to the parties.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	