

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das**

Case No – OA 1142 of 2017

Babli Biswas 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
02 19.09.2018	<p>For the Applicant : Mr. D. Dey, Learned Advocate.</p> <p>For the Respondents : None.</p> <p>The applicant has prayed for direction upon the respondents to grant enhanced pay scale for the post of Library Assistant having Bachelor Degree in Science including Bachelor Degree in Library and Information Science and all other consequential financial benefits from the date of appointment.</p> <p>The applicant was appointed in the post of Library Assistant in the establishment of Jalpaiguri Polytechnic Institute in the scale of pay of Rs.3350-6325/- plus allowances admissible under the rules on the basis of order dated March 7, 2001 issued by the respondent no. 4. The contention of the applicant is that the applicant possessed higher qualification of Bachelor Degree in Library and Information Science at the time of joining in the post of Library Assistant. The further contention of the applicant is that she is entitled to get higher scale no. 10 instead of scale no. 6 as other Library Assistants having Bachelor Degree in Library and Information Science are getting scale no. 10. The grievance of the applicant is that representations submitted by the applicant from time to time including the last representation dated February 4, 2016 has not been considered by the</p>	

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Babli Biswas

Form No.

.....

Vs.

The State of West Bengal & Ors.

.....

Case No. **OA-1142 of 2017**

respondent no. 4 till date.

None appears on behalf of the state respondents in spite of service of notice as reflected from the Affidavit of service filed on behalf of the applicant. Learned Counsel representing the applicant has referred to order dated December 16, 2015 passed by the Principal Secretary to the Government of West Bengal, Department of Technical Education & Training and submitted that the present applicant is similarly circumstanced with Shrimati Srabani Bhattacharya who got higher scale of pay for the post of Library Assistant for acquiring Bachelor Degree in Library and Information Science. On consideration of the said order dated December 16, 2015, we find that Shrimati Srabani Bhattacharya acquired Bachelor Degree in Library and Information Science on April 11, 2002 and she joined in the post of Library Assistant in North Calcutta Polytechnic, Kolkata on May 6, 1997. So, Shrimati Srabani Bhattacharya got the benefit of higher scale for acquiring higher qualification after joining in the service, whereas the present applicant possessed higher qualification at the time of joining in the post of Library Assistant on the basis of order dated March 7, 2001. Accordingly, we are of the view that the present applicant is not similarly circumstanced with Shrimati Srabani Bhattacharya as contended on behalf of the applicant.

However, on consideration of the materials on record, we

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find that the respondent no. 4 has not considered and disposed of the representations submitted by the applicant from time to time. Accordingly, we direct the respondent no. 4, Director of Technical Education & Training, Government of West Bengal to consider the representation submitted by the applicant on February 2, 2016 (page 49 of the original application) in accordance with law by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of this order.

With the above direction, the original application is **disposed of.**

Let a plain copy of this order be supplied to the applicant free of cost.

The applicant is directed to serve copy of the order along with copy of the original application and its annexures on the respondent no. 4 within a period of 2 (two) weeks from this date.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib