

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 410 of 2017

Ritu Majumder 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
08 18.04.2019	<p>For the Applicant : Mr. S. Sarkar, Mr. K.P. Santra, Learned Advocates.</p> <p>For the Respondent : Mrs. S. Agarwal, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents for granting benefit of Modified Career Advancement Scheme (MCAS) in terms of Memo No. 3015-F dated March 13, 2001 issued by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>The contention of the applicant is that he joined in the post of Assistant Librarian in the West Bengal State Music Academy, Department of Information and Cultural Affairs, Government of West Bengal on August 3, 1990. The further contention of the applicant is that he got benefit of Career Advancement Scheme (CAS) on completion of satisfactory service of 10 years on August 2, 2000 and benefit of MCAS on completion of satisfactory service of 16 years on August 2, 2006. The grievance of the applicant is that he was not granted benefit of MCAS for completion of 25 years of service in spite of</p>	

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submission of representation in this regard before the respondent No. 4 on January 5, 2016.

Learned Counsel for the applicant submits that the applicant is entitled to get benefit of MCAS for completion of 25 years of service, but the representation submitted by the applicant has not yet been disposed of by the respondent No. 4. On the other hand, Learned Counsel representing the State respondents submits that the applicant did not perform his duty properly by reporting to the Principal Secretary of Minerva Natya Sanskriti Charcha Kendra after his transfer to the Institute by order dated July 30, 2009 issued by the Director of Culture, Department of Information and Cultural Affairs, Government of West Bengal.

Having heard Learned Counsel representing both parties, we find that the representation submitted by the applicant for grant of MCAS benefit for completion of 25 years of service is still pending for decision. Accordingly, we direct the respondent No. 4, Executive Officer, West Bengal State Music Academy, Department of Information and Cultural Affairs, Government of West Bengal to consider whether the applicant is entitled to get benefit of MCAS for completion of 25 years of service by taking into consideration the representation submitted by the applicant before the respondent No. 4 on January 5, 2016 (Annexure E to the original application) after giving the applicant an opportunity of hearing and on verification of records by passing a reasoned

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order within a period of twelve weeks from the date of communication of the order and communicate the same to the applicant within a period of eight weeks thereafter.

With the above direction, the original application stands disposed of.

Let a plain copy of the order be supplied to both the parties.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Rajib