

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 802 OF 2018

Mita Haldar v/s 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
03 09.07.2019	<p>For the Applicant : Mr. G.F. Hossain, Learned Advocate</p> <p>For the Respondents : Mr. A.L. Basu, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>Supplementary application filed on behalf of the applicant today is kept on record.</p> <p>The applicant has prayed for direction upon the respondents to consider her representation by granting her higher scale of pay and release of arrears of pay and refix pensionary benefits.</p> <p>The contention of the applicant is that she joined as Supervisor on purely temporary basis in Rural Functional Literacy Programme Project located at Sainthia in terms of the order dated November 4, 1980 issued by the District Social Education Officer, Birbhum on consolidated remuneration of Rs.500/- per month. The further contention of the applicant is that she was allowed to draw scale of pay of Rs.1040-1920/- w.e.f. April 1, 1989 till May 31, 1996 as Supervisor of the said project. It is also contended on behalf of the applicant that she got scale no. 9 i.e. scale of pay of Rs.1260-2610/- in terms of</p>	

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ROPA 1990 though she was entitled to get scale no. 12 i.e. scale of pay of Rs.1500-3410/- in terms of ROPA 1990. The applicant retired from service on January 31, 2018 as Lady Extension Officer from the establishment of Directorate of Mass Education Extension, Government of West Bengal.

With the above factual matrix, Learned Counsel for the applicant contends that the applicant was initially appointed in the year 1980 and as such she should have been given scale no. 10 at the time of her joining in the post of Lady Extension Officer in terms of the order dated February 20, 1996 (Annexure-C to the original application). On the other hand, Mr. Basu, Learned Counsel representing the state respondents, submits that the applicant worked initially on consolidated remuneration as casual employee and thereafter on a pay scale as temporary employee in a project before her absorption on regular basis in Government service as Lady Extension Officer Social Education on June 5, 1996 in terms of the order dated February 20, 1996 issued by the Director of Mass Education Extension, Government of West Bengal.

Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that the applicant joined as Supervisor in the Rural Functional Literacy Programme Project under District Social Education Officer,

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Birbhum on purely temporary basis at consolidated remuneration of Rs.500/- per month in the month of November 1980. Subsequently, the applicant was given scale of pay of Rs.1040-25-1215-30-1485-35-1590-40-1670-50-1920/- as Supervisor on temporary basis in the said project in compliance with the order passed by the Hon'ble High Court at Calcutta and the Hon'ble Supreme Court of India and in terms of order dated August 13, 1991 issued by the Director of Mass Education Extension, Government of West Bengal. The applicant was absorbed in regular Government service as directly recruited Extension Officer Social Education/Lady Extension Officer Social Education in the scale of pay of Rs.1260-2610/- on June 5, 1996 in terms of the order dated February 20, 1996 issued by the Director of Mass Education Extension, Government of West Bengal. Since the applicant worked in a project on temporary basis before her absorption on regular basis in Government service in the post of Lady Extension Officer Social Education in the Directorate of Mass Education Extension, Government of West Bengal, the applicant is not entitled to claim the benefit of service rendered by her in the project on temporary basis before her absorption on regular basis in Government service as Lady Extension Officer Social Education in the Directorate of Mass Education Extension, Government of West Bengal. The applicant is not entitled to get the benefit of past service before her regular appointment as directly recruited Lady Extension Officer Social Education on June 5, 1996. Nor has the applicant

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made any prayer in this respect. Learned Counsel for the applicant has failed to explain how the applicant is entitled to higher scale of pay at the time of her joining in Government service as directly recruited Lady Extension Officer Social Education under the Directorate of Mass Education Extension, Government of West Bengal.

In view of our above observation, the applicant is not entitled to get any enhancement of benefit of scale as prayed for.

As a result, the original application is **dismissed**.

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib