

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

**Case No. – OA 247 of 2023**

**Mrinmoy Roy -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. G.P. Banerjee,  
Mrs. S. Agarwal,  
Ld. Advocates.

01  
08.05.2023

For the State respondent : None.

For the Pr.AG (A&E), : Mr. B. Mitra,  
WB Depttl. Rep.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The prayer in this application is for disbursement of pension after the applicant retired from service on 30.06.2022. Against the proposal for pension submitted on 16.06.2022, the office of the Principal Accountant General (A&E), West Bengal detected some anomaly in the pay of the applicant and sought certain clarifications of District Inspector of Schools, Primary Education, Cooch Behar. The relevant portion is as under :

*“1. IT APPEARS FROM SERVICE BOOK PAGE-18 THAT THE PAY OF THE GOVT. SERVANT WAS FIXED AT RS.18340/- AS ON 01.07.2012 WHICH IS NOT IN ORDER. ON ALLOWING NORMAL YEARLY INCREMENT HIS PAY SHOULD HAVE BEEN FIXED HIGHER SCALE AND REACHED PAY LEVEL 9 HE IS NOT ENTITLED TO GET 25 YEARS CAS BENEFIT.*

*2. CORRECTION OF PAY FIXATION W.E.F. 01.07.2012 OF SHRI ROY SHOULD BE MADE IN THE SERVICE BOOK UNDER PROPER ATTESTATION OVERDRAWAL OF PAY AND ALLOWANCES, IF ANY, MAY PLEASE BE COMPUTED AND MODE OF RECOVERY SUGGESTED.”*

The District Inspector of Schools (PE) forwarded the same to the Sub-Inspector of Schools, Sitai Circle, Cooch Behar advising him to comply with the observations of Principal Accountant General (A&E), West Bengal. In reply to the District Inspector of Schools (PE) on 01.08.2022, the Sub-Inspector of Schools informed that the pension proposal submitted earlier was in order and the question of overdrawal by the applicant does not arise. The relevant line in the letter is as under :

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“In this case, this office on 01/07/2012, did the same and he was **not** promoted to the next higher scale but was given an increment in the same scale.”

However, the District Inspector of Schools (PE) responded back to the Sub-Inspector of Schools insisting that the observations of the Principal Accountant General (A&E), West Bengal sought through the correspondence dated 16.06.2022 be complied.

It appears that some new facts relating to the pay and allowances of the applicant as described in the letter of Sub-Inspector of Schools dated 01.08.2022 has not been brought to the notice of the Principal Accountant General (A&E), West Bengal. Such information on the pay and allowances of the applicant was furnished by the Sub-Inspector of Schools to the District Inspector of Schools (PE). However, the copy of this correspondence was not forwarded to the office of the Principal Accountant General (A&E), West Bengal.

After hearing the learned counsels, the application is disposed of by directing the Respondent No. 3, District Inspector of Schools (PE), Cooch Behar to furnish before the Respondent No. 7, Principal Accountant General (A&E), West Bengal within three months from the date of receipt of this order, a copy of letter written by the Sub-Inspector of Schools on 01.08.2022 to him along with the Service Book and the pension papers. Upon receipt of this correspondence, the Principal Accountant General (A&E), West Bengal may re-examine the proposal and communicate their views to the District Inspector of Schools (PE) and Sub-Inspector of Schools for taking suitable action.

The application is **disposed of**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**