

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 665 of 2023

Manab Barua & Ors. -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

**For the Applicants : Mr. Arka Maity,
Mr. S. Bhattacharjee,
Mr. D. Abbasi,
Ld. Advocates.**

05
22.05.2025

**For the State Respondents : Mr. G.P. Banerjee,
Ld. Advocate.**

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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for a direction to the respondent authorities to increase age of retirement of the applicants who are serving as Workshop Instructor in various Government Polytechnics from 60 to 65 years.

Mr. Maity, learned counsel while submitting on behalf of the applicants has drawn my attention to the copy of the correspondence dated 21.09.2004. A close reading of the copy of the correspondence suggests that the Department of Technical Education and Training had enhanced the age of superannuation from 60 to 65 years full time regular Principals and Lecturers holding substantive post. The applicants are Workshop Instructors in the Government Polytechnics and in terms of Memo. No. 1290, their posts and services have been categorised under the teaching faculty. Submission is that since the applicants, as Workshop Instructors have been accepted as part of the teaching faculty, therefore, such enhanced age of superannuation should be extended to these applicants as well. In support of their claim, attention has also been drawn to a copy of Recommendation of Duties and Responsibilities and argued that nature and duties of these Workshop Instructors are also akin to the teaching staff. The applicants have jointly furnished a representation by the applicants praying for considering their age of superannuation from 60 to 65 years.

Mr. Banerjee, learned counsel has submitted that fixing the age of superannuation is a policy matter and prerogative of the Government in

Form No.

Case No. **OA-665 of 2023**

Vs.

The State of West Bengal & Ors.

which Tribunal does not have any role. However, if the Tribunal directs the respondent authorities to examine their representations, it will be complied.

Having heard the submissions of learned counsels of both sides and after examination of records, this application is disposed of by directing the respondent no. 1, now re-designated as Additional Chief Secretary, Technical Education, Training and Skill Development (TET&SD) Department to examine the representation of the applicants praying for enhancement their age of superannuation from 60 to 65 years. Since this is a policy matter, the Tribunal desists from expressing any view and merits of the case are left open for the respondent authority to interpret. The final decision in this matter be taken within a reasonable period of time, preferably six (06) months from the date of communication of this order and communicate the same to the first applicant within two (02) weeks thereof.

Accordingly, this application is disposed of.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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