

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble JUSTICE RANJIT KUMAR BAG

& The Hon'ble DR. SUBESH KUMAR DAS

Case No – CCP 18 OF 2017

*Arpita Satpati (Bhattacharyya) Vs Shri Manish Jain, I.A.S., Secretary, Department of School Education.
Government of West Bengal & Another*

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
12 <hr/> 25.06.2019	<p><i>For the Applicant : Mr. S.K. Mondal, Learned Advocate.</i></p> <p><i>For the Contemnor/O.P. : Mr. A.L. Basu, Learned Advocate.</i></p> <p><i>The grievance of the applicant in the contempt application is that she has not been granted higher pay scale for obtaining master degree in music/vocal music in terms of the direction given by the Tribunal on April 04, 2010 in OA 366 of 2014.</i></p> <p><i>By filing the compliance report of the Commissioner of School Education, West Bengal, Mr. Basu, Learned Counsel representing the contemnor submits that higher pay scale has already been given to the applicant and the case of the applicant has already been forwarded for payment of revised pension, commuted value of pension and leave encashment after re-fixation of pay in the higher pay scale as directed by the Tribunal. On close scrutiny of the documents annexed to the compliance report submitted today, we find that the Commissioner of School Education has disclosed in the letter dated April 09, 2019 that the pay of the applicant is re-fixed in the higher pay scale as per letter of the Assistant Headmaster in Charge</i></p>	

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of the school under reference no. 357/PL-26 dated February 01, 2019. The letter dated May 21, 2019 by which the Assistant Head Master in Charge of Bidhannagar Government High School forwarded the case of the applicant to the Principal Accountant General, West Bengal recommending revised pension, commuted value of pension and leave encashment does not disclose the higher pay scale and fixation of pay of the applicant in the higher pay scale. The letter dated February 01, 2019 of the Assistant Head Master in charge of the school referred to by the Commissioner of School Education has not been annexed to the compliance report. Accordingly, we are totally in the dark as to how fixation of pay of the applicant is done in higher pay scale and what is the actual amount of salary of the applicant on the date of her superannuation. In view of our above observation, we are unable to accept the compliance report submitted on behalf of the contemnor today.

Under the above circumstances, we are inclined to give one more opportunity to the contemnor for filing fresh compliance report by annexing copy of documents by which pay of the applicant was refixed in higher pay scale and the document by which last pay drawn by the applicant on the date of superannuation is disclosed for

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the purpose of revised pension and other revised retirement benefits.

Mr. Basu has prayed for accommodation of at least four weeks for filing fresh compliance report. Accommodation is granted.

*List the matter under the heading “**Hearing**” on **02.08.2019**.*

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

(S.K.DAS)

Member (A)

(R.K.BAG)

Member (J)

H.S