

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – CCP 204 OF 2016

DIPAK KUMAR SEAL & OTHERS Vs Shri. H.K. Dwivedi, Principal Secretary, Finance Department, Government of West Bengal.

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
10 <hr/> 12.07.2018	<p><i>For the Contempt Petitioners : Mr. S.N. Ray, Learned Advocate.</i></p> <p><i>For the Contemnor O.P. : Mr. G.P. Banerjee , Learned Advocate.</i></p> <p style="text-align: center;"><i>The applicants have prayed for issuance of contempt rule for wilful violation of judgment and order dated May 04, 2016 passed by this Tribunal in OA No. 1259 of 2012. The relevant portion of the order dated May 04, 2016 is quoted below :</i></p> <p style="text-align: center;">“Under these circumstances, we set aside the decision of the Finance Department as conveyed under letter No. 1109-RD (Trg)/1E-9/07 dated 17.02.2012 of the Joint Secretary of the Panchayat and Rural Development Department and issue a direction upon the Principal Secretary, Finance Department (respondent no. 2) to take a fresh decision in the light of the amended recruitment rules and pass an appropriate order upgrading the scale of pay of the applicants to that of the Librarians of ATI with effect from the date of coming</p>	

ORDER SHEET

DIPAK KUMAR SEAL & OTHERS

Form No.

Vs

Shri. H.K. Dwivedi, Principal Secretary, Finance Department, Government of West Bengal.

Case No. CCP 204 OF 2016

into force of the amended recruitment rules. Such order is to be passed within a period of 12 (twelve) weeks from the date of communication of this judgment and the same is to be communicated to the applicants immediately thereafter.”

The compliance report submitted on behalf of the contemnor on September 18, 2017 indicates that the Finance Department has not given the benefit of scale to the applicant at par with that of the Librarians of ATI on consideration of volume of work and nature of duty performed by the Librarians of ATI. The Tribunal gave direction for taking a decision on behalf of the contemnor in the light of amended recruitment rules. The compliance report does not indicate that the contemnor has taken into consideration amended recruitment rules for coming to the conclusion that the applicant is not entitled to get benefit of scale of pay applicable to the Librarians of ATI.

Under such circumstances, we are inclined to give another opportunity to the contemnor to comply with the direction passed by the Tribunal. So the compliance report submitted by the contemnor is not accepted by us.

The contemnor is directed to comply with the direction of the Tribunal within a period of 12 (twelve) weeks from this date.

ORDER SHEET

DIPAK KUMAR SEAL & OTHERS
.....

Form No.

Vs

Shri. H.K. Dwivedi, Principal Secretary, Finance Department, Government of West Bengal.

Case No. **CCP 204 OF 2016**
.....

*List the matter under the heading “**Hearing**” on
05.12.2018.*

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

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S

ORDER SHEET

DIPAK KUMAR SEAL & OTHERS
.....

Form No.

Vs

Shri. H.K. Dwivedi, Principal Secretary, Finance Department, Government of West Bengal.

Case No. **CCP 204 OF 2016**
.....