

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA - 1209 of 2013**

Sagar Chandra Kundu

Versus

The State of West Bengal & Ors.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

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14/01/2019

For the Applicant

: *Mrs. S. Mitra,
Ld. Advocate.*

For the State Respondent : *Mr. S. Bhattacharya,
Depttl. Representative.*

For the A.G., W.B. : *Mr. B. Mitra,
Depttl. Representative.*

The applicant has prayed for direction upon the respondents for disbursement of the amount of General Provident Fund and fixation of scale of pay of the applicant in the pay-scale of Rs. 300-685/- w.e.f. February 22, 1989 and grant him all financial benefits w.e.f. February 22, 1989.

The applicant joined in the post of Amin under respondent no. 4 in the Department of Land and Land Reforms, Government of West Bengal on February 22, 1989 in the pay-scale of Rs. 280-617/- in terms of order dated February 22, 1989 issued by the District Magistrate and Collector, Bankura. The scale of pay of the applicant was fixed at Rs. 1040-1920/- w.e.f. April 24, 1990 in terms of order dated July 21, 2004 issued by the respondent no. 4. The pay-scale of the post of Amin in the Department of Land and Land Reforms was prescribed as Rs. 280-617/- in West Bengal Services (Revision of Pay and Allowances) Rules, 1981 (in short ROPA 1981). Accordingly, the pay-scale of the applicant was rightly fixed at Rs. 280-617/- both in terms of ROPA 1981 and in

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	<p><i>terms of the order of appointment issued by the District Magistrate and Collector, Bankura on February 22, 1989.</i></p> <p><i>The pay-scale of Amin prescribed for the Department of Animal Husbandry and Veterinary Services, Government of West Bengal in ROPA, 1981 is relied on by the applicant in order to claim higher pay-scale of Amin @ Rs. 300-685/-. Since the pay-scale of Amin in the Department of Animal Husbandry and Veterinary Services, is different from the pay-scale of Amin in the Department of Land and Land Reforms, Government of West Bengal, we are unable to accept the contention of the applicant that the applicant is entitled to get benefit of pay-scale of Amin prescribed for Department of Animal Husbandry and Veterinary Services at Rs. 300-685/- in ROPA, 1981. The applicant has been rightly given benefit of fixation of pay in terms of order dated July 21, 2004 issued by the respondent no. 4 after framing of new rules under Notification No. 935 Estt. Dated April 24, 1990 of Department of Land and Land Reforms, Government of West Bengal. The applicant is, thus, not entitled to get any benefit of enhanced pay w.e.f. the date of his appointment as prayed for.</i></p> <p><i>With regard to the prayer of the applicant for disbursement of the amount of G.P.F., Mr. Bhattacharya, the Departmental Representative of the state respondent has placed on record a copy of letter dated August 26, 2016 submitted by the applicant before the respondent</i></p>	

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	<p><i>no. 3 and submitted that the applicant has refused to submit Form 10A for disbursement of the amount of G.P.F. Mr. Bhattacharya further submits that the missing credits of G.P.F. of the applicant have already been traced out and the entire amount of G.P.F. will be disbursed in favour of the applicant as soon as the applicant will submit the application in the prescribed format along with other particulars for deposit of the amount of G.P.F. in favour of the applicant.</i></p> <p><i>Accordingly, the applicant is directed to submit Form 10A and other necessary particulars before the respondent no. 3, District Land and Land Reforms Officer, Bankura within a period of 4 (four) weeks from the date of this order. If the applicant submits the necessary particulars and Form 10A being duly filled up from his end, the respondent no. 3, the District Land and Land Reforms Officer, Bankura will take necessary steps for disbursement of the amount of G.P.F. in favour of the applicant within a period of 12 (twelve) weeks from the date of submission of the application form and other particulars before him. With the above direction, the original application stands disposed of.</i></p> <p><i>Let a Plain Copy of the order be supplied to both parties.</i></p>	
Csm	<p>S. K. DAS MEMBER(A)</p>	<p>R. K. BAG MEMBER(J)</p>

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