

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 322 OF 2015**

*Aloke Kumar Roy Chowdhury* vs **The State of West Bengal & Ors.**

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
<p style="text-align: center;">17</p> <hr/> <p>02.09.2019</p>	<p><i>For the Applicant : Mr. A.K. Roy Chowdhury, (In person)</i></p> <p><i>For the State Respondents : Mrs. S. Agarwal, Learned Advocate.</i></p> <p><i>The applicant has prayed for direction upon the respondents for granting him benefit of scale of pay in accordance with his post graduate qualification.</i></p> <p><i>The applicant joined as Teacher Helper at Banipur State Welfare Home in terms of the order dated March 18, 1971 issued by the Director of Public Instruction, West Bengal. He was appointed as Assistant Teacher of Central State Welfare Home, Berhampur in the District of Murshidabad in terms of the order dated May 22, 1981 issued by the Director of Public Instruction, West Bengal. The contention of the applicant is that he obtained permission for appearing in M.A. Examination (Bengali) as external candidate in University of Calcutta, which was granted on December 19, 1990 with rider that he will not be able to claim the benefit of higher scale of pay automatically on his passing the aforesaid Examination. The said order of granting permission to the applicant for appearing in M.A Examination of University of Calcutta</i></p>	

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*was communicated by Deputy Director of Secondary Education (Social Welfare) on December 19, 1990. The further contention of the applicant is that he duly passed M.A Examination (Bengali) from University of Calcutta and submitted application before the appropriate authority for grant of higher scale of pay in terms of G.O. dated September 07, 1970 issued by the Assistant Secretary to the Government of West Bengal, Department of Education, Secondary Branch. The grievance of the applicant is that he was not granted any financial benefit for obtaining higher qualification while he was in service, inspite of making repeated representations before the appropriate authority. The applicant retired from service on March 31, 2011.*

*The applicant appears in person and submits that his prayer for grant of financial benefit for acquiring higher qualification as Assistant Teacher has not been considered by the respondents. On the other hand, Mr. S. Agarwal, Learned Counsel representing the state respondents submits that the applicant is not entitled to get any financial benefit for acquiring post graduate qualification automatically as the permission for appearing in the said Examination was granted with rider that the applicant will not get financial benefit automatically for passing out M.A. Examination.*

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*Having heard the both parties and on consideration of the materials on record, we are of the view that the respondent no. 2 should consider whether the applicant is entitled to get financial benefit for acquiring post graduate qualification as Assistant Teacher of Banipur State Welfare Homes High School within specific period of time. Accordingly, the respondents no. 2, Director of Mass Education Extension and Library Services, Government of West Bengal is directed to consider whether the applicant is entitled to get financial benefit as Assistant Teacher of Banipur State Welfare Homes High School in the District of North 24 Parganas for acquiring post graduate qualification after obtaining necessary approval from the higher authority, if required, within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action, if required, within a period of 8 (eight) weeks thereafter.*

*With the above direction, the original application stands disposed of.*

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

**( S.K.DAS )**  
**Member ( A )**

**( R.K.BAG )**  
**Member ( J )**

*H.S*