

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA 478 of 2017**

Sitabrata Roy & Ors.

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.
1 <u>12</u> 27/02/2020	<p style="text-align: center;">2</p> <p>For the Applicants : Mr. S. Bhattacharjee, Learned Advocate.</p> <p>For the State Respondent : Mr. G.P. Banerjee, Learned Advocate.</p> <p>Supplementary Application filed on behalf of the applicants today is kept on record.</p> <p>The applicants have prayed for direction upon the respondents to grant them benefit of Career Advancement Scheme (in short, CAS) and benefit of Modified Career Advancement Scheme (in short, MCAS) in terms of G.O. dated June 21, 1990 and G.O. dated March 13, 2001 issued by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>The contention of 62 (sixty two) applicants is that they joined in the Government service as Assistant Child Development Project Officer (in short, A.C.D.P.O.) on different dates during the period from 1986 to 1987. The further contention of the applicants is that they have been working as Acting C.D.P.O. for considerable period of time and thereby they have been granted the pay-scale applicable to the C.D.P.Os in terms of the Judgment and order passed by the Hon'ble Supreme Court in 'Arindam Chattopadhyay and Others v The State of West Bengal & Others' (Civil Appeal No. 2521/2013 arising out of SLP (C) No. 7420/2012</p>	<p style="text-align: center;">3</p>

ORDER SHEET – (Continuation)

Form No.

Sitabrata Roy & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA 478 of 2017**

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>disposed of on March 13, 2013). It is also contended on behalf of the applicants that they have not been granted benefit of CAS & MCAS inspite of completion of satisfactory service for 08 (eight) years and 16 (sixteen) years respectively without getting any promotion to the higher post.</p> <p>We have heard Mr. G.P. Banerjee, Learned Counsel for the state respondents. Mr. Bhattacharjee, Learned Counsel for the applicants contends that the applicants are entitled to get benefit of CAS & MCAS in terms of G.O. dated June 21, 1990 and March 13, 2001 respectively.</p> <p>On consideration of the contents of the original application and the documents annexed thereto, we do not find any information about the date of joining of the applicants in the post of Assistant CDPO and the date of joining as Acting CDPO and thereby we are not in a position to form any opinion with regard to the entitlement of the applicants to get the benefit of CAS and MCAS. On our query, Mr. Bhattacharjee, Learned Counsel for the applicants submits that the applicants have not submitted any representation individually for getting the benefit of CAS and MCAS by furnishing the detailed information of the date of joining in the post of Assistant CDPO and in the post of Acting CDPO. Under</p>	

ORDER SHEET – (Continuation)

Form No.

Sitabrata Roy & Ors.
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA 478 of 2017**

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>the above circumstances, we are of the view that each of the applicants should submit appropriate representation before the Respondent No. 1 by disclosing the fact of joining in the post of Assistant CDPO and the date of joining in the post of Acting CDPO and by giving the period of service rendered by them in the same scale of pay without getting any promotion within specific period of time, so that the concerned respondent can consider the entitlement of each of the applicants to get the benefit of CAS and MCAS.</p> <p>In view of our above findings, we direct each of the applicants to submit appropriate representation before the Respondent No. 1, Principal Secretary to the Government of West Bengal, Department of Women and Child Development and Social Welfare within a period of 06 (six) weeks from this date. If such representation is submitted by each of the applicants before the Respondent No. 1 within the stipulated period of time, the said Respondent No. 1, will consider the said representation in terms of the Memorandum No. 6075-F dated June 21, 1990 and Memorandum No. 3015-F dated March 13, 2001 issued by the Finance Department, Audit Branch, Government of West Bengal within a period of 12 (twelve) weeks from the date of receiving the representation by passing a reasoned order and take necessary follow up action, if any, within a</p>	

ORDER SHEET – (Continuation)

Form No.

..... Sitabrata Roy & Ors.

Vs

The State of West Bengal & Others.
.....Case No. **OA 478 of 2017**

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
Csm	<p>period of 08 (eight) weeks thereafter. With the above direction, the original application stands disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	