# WEST BENGAL ADMINISTRATIVE TRIBUNAL

#### Present-

The Hon'ble Justice Ranjit Kumar Bag & The Hon'ble Subesh Kumar Das

Case No -OA 575 OF 2018

#### Pradip Kumar Sau Vs The State of West Bengal & Ors.

Serial No. and Date of order.	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary
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04.09.2018	For the Applicant : Mr. S.K. Mondal Learned Advocate.	
	For the State Respondents : None.	
	The applicant has prayed for direction upon the	
	respondents to give her higher scale of pay for	
	improvement of her qualification in terms of G.O. dated	
	September 23, 1991 issued by the Deputy Secretary to	
	the Government of West Bengal, Department of	
	Education, Appointment (School Education) Branch.	
	The applicant was appointed to the post of	
	Drawing Master at Birbhum Zilla School, Suri on the	
	basis of recommendation of P.S.C., W.B in the Pay	
	Band - 3, Rs.7,100-37,600/- and Grade Pay of	
	Rs.3,900/- and allowances admissible under the	
	Rules by order dated November 26, 2009 issued by	
	the Director of School Education, Government of West	
	Bengal. The contention of the applicant is that the	
	applicant obtained Master of Fine Arts in Painting from	
	Rabindra Bharati University in the year 2007. The	
	grievance of the applicant is that she has not been	
	given higher pay scale for improved educational	
	qualification in the subject relevant to the post on the	

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	basis of G.O. dated September 23, 1991.	
	None appears on behalf of the state respondents	
	in spite of service of notice as reflected from the	
	affidavit of service filed on behalf of the applicant. Mr.	
	Mondal, Learned Counsel for the applicant has relied	
	on the unreported case of "State of West Bengal &	
	Another V. Rekha (Saha) Sarkar & Others" (W.P.S.T	
	No. 230 of 2015 decided on January 29, 2016) in	
	support of his contention that the applicant is entitled	
	to higher pay scale for obtaining Master Degree of	
	Fine Arts in Painting before entering in the service.	
	On perusal of the Judgment delivered by the	
	Division Bench of Hon'ble High Court at Calcutta in	
	"State of West Bengal & Another V. Rekha (Saha)	
	Sarkar & Others" (Supra), we find that Hon'ble High	
	Court dealt with the case of a Teacher who joined in	
	the post of Drawing Mistress after acquiring Master	
	Degree in Painting. The Division Bench of the Hon'ble	
	High Court considered the G.O. dated September 23,	
	1991 and held that the said Teacher having obtained	
	Master Degree in Painting is entitled to higher pay	
	sale.	
	By following the above decision of the Hon'ble	
	High Court at Calcutta, we direct the respondent no.1,	
	the Principal Secretary to the Government of West	
	Bengal, Department of School Education to pass a	
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