

Item No.20

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.04.2022
Ct-24

WPA 7163 of 2021
Sunit Sarkar & Ors.

v.

The State of West Bengal & Ors.

Md. T. Hossain
... for the petitioners.

Mr. T.M.Siddiqui
Mr. Nilotpall Chatterjee
... for the State.

The petitioners are serving as Shiksha Bandhus under the Paschim Banga Sarva/Samagrah Siksha Mission. Their grievance is that the Principal Secretary, School Education Department vide Memo dated January 21, 2019 enhanced the remuneration of 2462 employees of the Project Management Staff of Paschim Banga Sarva/Samagrah Siksha Mission and the same has been approved by the Finance Department. The benefit of enhancement was given retrospective effect from March 1, 2018.

The Principal Secretary, School Education Department on the same day i.e. January 21, 2019 enhanced the remuneration of the Shiksha Bandhus of Paschim Banga Sarva/Samagrah Siksha Mission under

Circle Recourse Centers and the benefit of enhancement has been given effect from January 1, 2019.

The petitioners pray that the enhancement of the remuneration of the Sikhsha Bandhus should also be given retrospective effect from March 1, 2018 i.e. from the same date when the remuneration of the Project Management Staff of the Mission stood enhanced.

The petitioners through their learned advocate filed representation before the Principal Secretary, School Education Department, Elementary Education Branch and before the State Project Officer, Paschim Banga Rajya Sarva/Samagra Sikhsha Mission in November 2020 and allege that the said representation has not been considered till date.

It appears from the Memorandum dated January 21, 2019 issued in respect of the Project Management Staff and the Shiksha Bandhus of Paschim Banga Rajya Sarva/Samagra Sikhsha Mission that the dates from which the enhancement of remuneration was given effect to is different. For the Project Management Staff, the benefit was given with effect from March 1, 2018 and for the Shiksha Bandhus the benefit was given effective from January 1, 2019.

The representation of the petitioners praying for giving effect to the enhancement of remuneration to Shiksha Bandhus from the same date as that of the

Project Management Staff is pending consideration before the Principal Secretary.

In view of the above, the instant writ petition stands disposed of by directing the Principal Secretary, School Education Department (Elementary Education) to take a decision with regard to the prayer of the petitioner for enhancing their remuneration with effect from March 1, 2018 strictly in accordance with the relevant rules/circulars/ guidelines and to pass a reasoned order and communicate the same to the petitioners immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the said respondent at the time of consideration of the prayer of the petitioners.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)