

76.
17.2.2023
S.D.

W.P.A. 20402 of 2022

Utpal Das
Vs.
**The West Bengal State Electricity Distribution
Company Limited & Ors.**

Mr. Rajib Kumar Acharyya
Mr. Banshi Badan Maity
...For the petitioner

Mr. Sumit Kumar Panja
Mr. Sumit Ray
..For the W.B.S.E.D.C.L.

The Petitioner is a Grade-I employee of the West Bengal State Electricity Distribution Company Limited (WBSEDCL). The petitioner's grievance is that the petitioner did not get the existing benefits of **Special Service Linked Scheme (SSLS)** despite completion of 25 years of service as assured by the Office Order dated February 22, 2020 vide No. 1782 relating to the Revision of Pay and Allowances Rules, 2022.

Mr. Acharyya, learned counsel appearing on behalf of the petitioner submits that the petitioner completed 25 years of service sometime in 2018 and was entitled to get the benefits of SSLS pursuant to ROPA 2020.

Mr. Panja, learned counsel appearing on behalf of the WBSEDCL submits that the petitioner did not submit the

documents necessary for disbursement of the benefits under SSLS. It is admitted that the petitioner was eligible for getting the SSLS benefits upon completion of 25 years of service in the year 2018.

Having considered the rival submissions of the parties and the materials placed on record, this Court finds that the submission of the employer/WBSEDCL regarding non-submission of the appraisal report by the employee/petitioner cannot be accepted since the appraisal reports regarding the performance of the employee are the documents prepared by the employers and are retained by the employers, although copies may be made over to the employee. Such documents are always available with the employer itself. However, the submission with regard to non-filing of declaration of assets form annually, within due time by the employee/petitioner pursuant to Clause 55 (3) of West Bengal Electricity Board Employees' Service Regulations is accepted by this Court. The employer was under no obligation to call for such documents from the employee/petitioner. The duty/obligation was on the employee to file declaration of assets annually, pursuant to the said Rule.

In the light of the discussions above, this Court is of the view that in the event the requisite assets declaration is made

and other formalities are completed by the petitioner within one month from date, the employer/WBSEDCL shall consider the disbursement of the existing benefits under SSLs from the year 2018 in favour of the petitioner within four months from the date of filing of the necessary documents as per the extant rules and guidelines of the employer company.

With the directions aforesaid, **W.P.A. 20402 of 2022** is **disposed of**.

All parties shall act on the server copy of this order duly downloaded from the **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)