

# HIGHER AND STATE AUDIT & ACCOUNTS SERVICES ASSOCIATION WEST BENGAL

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No. FS/53 /2015

Dated: 22<sup>nd</sup> July 2015

To  
Sri H.K. Dwivedi, IAS  
Principal Secretary to the  
Government of West Bengal,  
Finance Department  
Nabanna, 12<sup>th</sup> floor  
325 Sarat Chatterjee Road  
Howrah-711 102

**Sub: Appeal for maintaining inter-se seniority in  
terms of Notification No. 9099-F dated 23.09.2009**

Sir,

We would like to draw your kind attention to the declared policy of the Government of West Bengal vide Notification No. 9099-F dated 23.09.2009 which, we feel is being flouted in total disregard of not only the State Government's declared policy but also to the career prospect of a few hundred senior officers who were directly recruited to the West Bengal Audit & Accounts Service prior to 1<sup>st</sup> March, 2001.

For your kind reference we would like to reproduce the entire contents of Notification No. 9099-F dated 22.09.2009 which goes thus:

*"In terms of notification No. 3317-F dt. 22.03.2001 the West Bengal Junior Audit & Accounts Service was unified with the West Bengal Audit & Accounts Service w.e.f. 1st March, 2001.*

*2) The question of antedating the said merger to 1981 was under consideration of the Government for quite some time past. After careful consideration of the matter the Governor has now been pleased to give effect to the said unification from 1.4.1981. The unification will have notional effect from 1.4.1981 and actual benefits will be given from 1.3.2001. The Governor has further been pleased to order that inter-se-seniority of the officers belonging to the unified West Bengal Audit & Accounts Service as on 1.3.2001 shall remain undisturbed."*

We would, more importantly, like to draw your kind attention to the last sentence of the notification which, in unequivocal terms, proclaims the policy of the State Government that in spite of ante-dating the merger from 01.03.2001 to the retrospective date of 01.04.1981, the maintenance of inter-se seniority was granted to all directly recruited officers to the West Bengal Audit & Accounts Service till 01.03.2001.

*23.7.15  
PP to Sir*

It is a matter of great concern to us that this declared policy of the State Government is being blatantly flouted in recent times by the Finance Department in the matter of transfers and postings of the relatively senior and experienced officers of the Service even. A mere cursory glance at the recently published orders would vindicate our claim. For example, the directly recruited WBA&AS officers of the 1999 batch are unjustifiably being equated with the promoted officers of the same year although the difference in gradation between the two groups is a staggering 150 or more. As the list would necessarily extend in length we have refrained from citing further examples in this prayer.

We would like to take this opportunity to inform you that the issue of ante-dating of merger is under judicial scrutiny by the Hon'ble High Court at Calcutta at present.

We have had, on a regular basis, submitted to you the following facts:

1. That the gradation list of officers of West Bengal Audit Accounts Service published vide no. 4611-F dated 24.11.2000 is undisputed and sacrosanct and the names of officers of WBA&AS are recommended for **nomination to the IAS** on the basis of **the same** gradation list.
2. That the benefits in Pay Band-5 shall be awarded to the senior officers of WBA&AS as per this gradation list prior to granting benefits to their juniors as per the existing government orders/rules.
3. That the benefits of PB-5 to the erstwhile WBJrA&AS officers should not be considered without having any post merger gradation list.

Yet, we were surprised to find that none of the very observable reasons found any favour with the Finance Department which went on to act in a manner detrimental in every way to the career prospects of the senior WBA&AS officers who were directly recruited to the West Bengal Audit & Accounts Service prior to 1<sup>st</sup> March, 2001.

Seeing no alternative other than to involve in direct conflict we requested the Finance Department vide our No. FS/17/2014 dated 2<sup>nd</sup> June 2014 at least to allow pay protection to the senior officers who for the last five years or more were getting less pay in respect to their juniors. But unfortunately, without examining this legitimate claim for pay protection, the Finance Department has initiated the process of granting higher scale in Pay-Band-5 to the junior promoted officers of WBA&AS on the basis of impugned order of antedating of merger. Scant respect has been paid to the facts that:

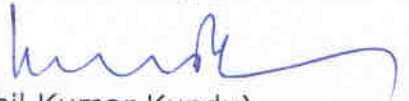
1. the 'Gradation List' of officers of West Bengal Audit Accounts Service published prior to merger vide no. 4611-F dated 24.11.2000, is undisputed and sacrosanct. Based on that same 'Gradation List', till now, Finance Department is selecting the names of officers of WBA&AS for recommending to the nomination to the IAS;
2. the names of the officers and their seniority positions as mentioned in the said 'Gradation List' of the year 2000 are unchangeable and protected in terms of para 2 of F.D. Notification No. 9099-F dated 23.09.2009. The senior direct recruit officers of WBA&AS who are claiming for protection of pay in higher Pay-Band 4B in respect of their juniors are all borne in the same 'Gradation List' and the senior officers are feeling insulted and humiliated due to their less pay in respect of their juniors of the same 'Gradation List';

3. there is no scope to deny the claim of senior direct recruit officers of WBA&AS in respect of protection of pay in higher Pay-Band 4B in terms of para (xvi) of the CAS Scheme Order No. 6075-F dated 21.06.1990 read with para 5 the of the MCAS Scheme Order No. 3015-F dated 13.03.2001;
4. grant of higher Pay-Band-5 to the promotee officers of WBA&AS is calculated by taking into account their services which were not actually rendered by them in WBA&AS and also without taking into account the dates of their joining in the WBA&AS as mentioned in the 'Gradation List', their 'Service Books', their 'Appointment Letters' followed by their 'Joining Reports' in WBA&AS.

**Under the circumstances narrated above, we would once again request you to direct the Finance Department to strictly adhere to the policy contained in Notification No. 9099-F dated 23.09.2009 in the matter of transfer and postings and in the matter of advancing benefits of higher pay scale to the erstwhile WBJr.A&AS officers not only to protect the right to career advancement of the directly recruited WBA&AS officers but also to protect the interest of the Government in the matter of public expenditure and management. And if at all the Government decides in favour of extending the unlawful benefits to the members of the erstwhile WBJr.WBA&AS, then at least it should provide appropriate scale/pay protection to all members of the directly recruited WBA&AS officers who are affected by such move of the Government.**

With kind regards,

Yours faithfully,



(Sushil Kumar Kundu)  
President