14.10.2026
Sl. No.9(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 30006 of 2026

Goutam Chakraborty
Versus
The Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, Government of West Bengal & Anr.

Mr. Bidhan Biswas
...for the Petitioner.

Md. Sarwar Jahan
Ms. Mousumi Mitra
Ms. Sahina Parvin
...for the Respondent No.1.

1. This matter is appearing in the list under the heading *'To Be Mentioned'*.

2. Affidavit-of-service filed on behalf of the petitioner is taken on record.

3. By the present writ petition, the petitioner seeks necessary direction for allowing him to retain his status as Samprasarak/Samprasarika and to get the benefit of continuation of his service as Samprasarak/ Samprasarika up to the age of 65 years which was the scheme for such appointment and also for cancellation of Data Capture Format (DCF) which has been filled up by the petitioner for having the benefit of EPF Scheme.

4. The petitioner contends that he was engaged in Sahid Sibaram Satpati Madhyamik Shiksha Kendra, P.O. Sarenga, District Bankura as Samprasarak by the resolution of the Managing Committee of the said Madhyamik Shiksha Kendra. A notification was issued

by the School Education Department, Elementary Education Branch, Government of West Bengal under Memo No.979-ES/EE/10M-164/19 dated 18th December, 2019 it was notified that the Sahayak/Sahayika or Samprasarak/ Samprasarika etc. who are within age of 60 years may opt to the Mission Director, Paschim Banga Rajya Sishu Shiksha Mission through the District Nodal Officer, SSK/MSK of the concerned district for treating them at par with Para Teachers of Paschim Banga Samagra Shiksha Mission under the School Education Department. Pursuant to notification no.1035(23)/Mission-432/2019 dated 20th December, 2019, the petitioner opted to be Para Teacher and also filled up the DCF Form for getting the benefit of EPF Scheme. By notification no.72/20/Admin/PBRSSM/2020 dated 26th February, 2021, the School Education Department, Government of West Bengal passed order that those Sahayak/Sahayika and Samprasarak/ Samprasarika, who has opted for Para teacher, shall get similar service and financial benefits at par with Para teachers with effect from 1st December, 2020. However, the petitioner was not granted such benefit in terms of the aforesaid scheme from the said date. Subsequently, it has been notified vide memorandum dated 29th August, 2024 that the benefit of EPF Scheme will be extended from 1st April. 2024. In the changed circumstances the petitioner intends to revert

back to his original employment as Samprasarak under the School Education Department, Government of West Bengal with necessary consequential orders.

5. Mr. Bidhan Biswas, learned Advocate appearing for the petitioner submits that since the petitioner has not got the benefit as per the Scheme issued by the Government of West Bengal vide its notification dated 20th December, 2019, the petitioner intends to revert back to his original employment as Samprasarak. In a similar situation, a Coordinate Bench of this Hon'ble Court has passed orders in ***WPA 13660 of 2025 (Md. Quaish Ajmal versus The State of West Bengal & Anr.).***

6. Ms. Mousumi Mitra, learned advocate for the Mission Director leaves the matter to the discretion of the Court.

7. It is not in dispute that the petitioner is similarly circumstanced as of the petitioner in *WPA 13660 of 2025*.

8. In the aforesaid writ petition, following direction was issued:

> *"Therefore, this Count finds it apt to grant identical relief to the petitioner thereby treat the petitioner as Samprasarak/ Samprasarika by not giving credence to the option exercised by the petitioner and filled in DCF. Mere issuance of memorandum dated 29th August, 2024 and subsequent steps taken by the petitioner in submitting DCF should not act as fetter so far as present petitioner is concerned to be treated as Samprasarak/ Samprasarika without giving credence to the option and filled in DCF which was submitted by the petitioner. In view of aforesaid discussions the writ petition stands allowed directing the concerned State authorities including PBRSSM authority to treat the petitioner as Samprasarak/Samprasarika and the option as well as filled in DCF which petitioner has exercised and submitted shall be treated as cancelled.*

It is also clarified that in future petitioner cannot claim the benefits as para teacher."

9. In line with the above decision, following directions are issued:

   a) The petitioner be treated as Samprasarak by not giving credence to the option exercised by the petitioner and filled in DCF.

   b) Mere issuance of memorandum dated 29th August, 2024 and subsequent steps taken by the petitioner in submitting DCF should not act as fetter so far as present petitioner is concerned to be treated as Samprasarak without giving credence to the option and filled in DCF which is submitted by the petitioner.

   c) The respondent No.1, Mission Director, Paschim Banga Rajya Shishu Shiksha Mission, Government of West Bengal is directed to treat the petitioner as Samprasarak and the option as well as filled in DCF which petitioner has exercised and submitted shall be treated as cancelled.

10. It is clarified that in future the petitioner cannot claim any benefit as Para Teacher.

11. With the above direction, the writ petition being **WPA 30006 of 2026** stands disposed of.

12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.

15. There shall be no order as to costs.

16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

17. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)