

No.F.1 (1-34)-SE-E(NG)/2024-Part(1)
Government of Tripura
Directorate of Secondary Education
Estt. (N.G.) Section.

Dated, Agartala, the 13-05-2025

M E M O

Subject:- Providing regular pay scale to Sri Pinku Shil, Graduate Teacher (Secondary), Golaghati High School, Bishalgarh, Sepahijala Tripura appointed on fixed pay basis against the posts created on fixed pay basis by keeping regular pay scale post in abeyance.

Whereas, Sri Pinku Shil earlier appointed under the Forest Department, Government of Tripura to the post of Forester on regular pay scale basis and joined the said post on 01.06.2016 and subsequently appointed as Graduate Teacher (Secondary).

And whereas, Sri Pinku Shil was tendered technical resignation from the post of Forester on 05.12.2017 for joining the post of Graduate Teacher (Secondary) under the Directorate of Secondary Education, Tripura and joined to the said post on 06.12.2017.

And whereas, The Hon'ble High Court of Tripura has disposed of the Writ Petition filed by Sri Shil bearing W.P.(C) No. 407/2024 on 27.06.2024 with a direction that "without expressing any opinion on the merits of the case deems it proper to direct the competent authority/ respondent No.2 to take a decision upon their representation in accordance with law within a reasonable period preferably within 16(sixteen) weeks from the date of receipt of copy of this order".

And whereas, the Law Department, Government of Tripura has opined their views, that "The 'doctrine of stare decisis' should be followed to ensure that the cases with similar scenarios and facts are approached in the same way.

And whereas, the Finance Department vide No.F.10(2)-FIN(G)/2005(P-1)/47 dated, Agartala, the 17th December, 2024 has issued memorandum in partial modification of Finance Department's Memorandum No.F.10(2)-FIN(G)/05/Part-I dated 16th October, 2007 stating that the Government of Tripura has taken a policy decision for considering the benefit of regular pay scale to the employees who have served the State Government for cumulative period of 5(five) years as fixed pay posts created on fixed pay basis by keeping regular pay scale post in abeyance in different posts in same or different department.

And whereas, as the case of Sri Pinku Shil, Graduate Teacher (Secondary) is not covered by the Memorandum dated 17th December, 2024, the Finance Department vide U.O. No. 1038/Fin(Estt-III)/2025, dated 10/3/2025 it is stated that " The Deptt. is informed that Finance Department has examined the cases separately and Shri Pinku Shil, GT may be allowed the benefits as per Hon'ble High Court Order subject to obtaining the opinion of Law Department and prior approval of Council of Ministers."

And whereas, the Law Department vide note No. 49 in File No. 1(1-34)-SE-E(NG)/2024-Part(1) it is suggested that "The petitioner Pinku Shil, GT be given similar benefit / treatment, as was given to Tarendra Reang, Priyatosh Malakar and Basu Sarkar in respect of regular pay scale, pay protection, past service, except seniority. So the deptt. concerned shall do the needful as per FD's observation at the earliest."

And whereas, as per approval the Council of Ministers, Govt. of Tripura has approved the proposal of the Department for considering regular pay scale vide No. 1(1)-GA(CAB)/2025 dated 13.05.2025.

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In view of the above the under signed is here by allowed to grant regular pay scale to the post of Graduate Teacher (Secondary) w.e.f. 06.12.2017 along with past service benefits to Sri Pinku Shil, Graduate Teacher (Secondary), Golaghati High School, Bishalgarh, Sepahijala Tripura by counting of cumulative past service as rendered by him on regular pay scale as Forester, under the Forest Department, Government of Tripura except seniority.

The expenditure involved for this purpose is debitable to the Head of Account against which his fixed pay is being drawn at present. With the grant of regular scale of pay, the fixed pay posts held by the concerned Graduate Teacher shall deemed to have been converted into regular posts with regular scale of pay from the date of allowing the benefit. If in the meantime, the employee concerned resigned/terminated from service, this order will not be applicable. If the employee concerned in the meantime transferred elsewhere, this order may be sent to his present place of posting under intimation to this Directorate.

This is issued in pursuance to the concurrence of the Finance Department, Tripura against U.O. No. 1038/Fin(Estt-III)/2025, dated 10/3/2025. If any doubt arises in operation of this order, it may be referred to this Directorate for necessary clarification.

(N.C.Sharma)
Director of Secondary
Education, Tripura.

Copy to:-

1. The Accountant General, (A & E), Tripura, Agartala, West Tripura for information.
2. The Treasury Officer/Sub-Treasury Officer _____ for information.
3. The District Education Officer, Sepahijala District, Tripura for information.
4. The Head of Office & D.D.O. Golaghati High School, Bishalgarh, Sepahijala Tripura for information with a request to arrange draw and disbursement of salaries of the concerned Graduate Teacher on regular scale of pay w.e.f. 06.12.2017. He/She is also requested to record the contents of this order in the Service Book of the teacher concerned under proper authentication.
5. The Branch Officer, I.T. Cell, Directorate of Secondary Education, Tripura for information and necessary action.
6. Sri Pinku Shil, Graduate Teacher (Secondary), Golaghati High School, Bishalgarh, Sepahijala Tripura (through the Head of Office).
7. Estt.(General)/Accounts/Planning/Budget Section of this Directorate.
8. Guard file in section.