

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Dr. Subesh Kumar Das**

**Case No – OA 1084 of 2017**

Subrata Chanda vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
01 25.09.2018	<p>For the Applicant : Mr. S. Datta, Learned Advocate. For the Respondents : Mr. S. Bhattacharjee, Depttl. Representative</p> <p>The applicant has prayed for direction upon the respondents for giving financial benefit to the applicant in terms of Memorandum dated April 23, 2010 and Memorandum dated May 20, 2013 and Memorandum dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>It appears from the materials on record that the applicant was engaged as Sweeper-cum-Water Carrier in the establishment of the respondent no. 5 in the month of March 1990. The contention of the applicant is that he has been discharging duty as full time Group-D employee in the establishment of the respondent no. 5, but no document in this regard is forthcoming before the Tribunal. The Departmental Representative of the state respondents has produced copy of disbursement of remuneration to the applicant, which indicates that the applicant is receiving remuneration @ Rs.3,000/- per month. Let the said document be kept on record.</p> <p>On consideration of the order dated March 31, 2017 (Annexure-A to the original application) and the document indicating disbursement of monthly remuneration to the applicant, we are of the view that the applicant is a part-time</p>	

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Form No.

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**Vs.**

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casual worker who is discharging the duty of Sweeper-cum-Water Carrier in the establishment of respondent no. 5. In our view, the applicant is entitled to get remuneration @ Rs.3,000/- per month in terms of Memorandum dated November 27, 2017 issued by the Finance (Audit) Department, Government of West Bengal. Since the applicant is not a full time casual employee engaged for any scheme or project under any department of Government of West Bengal and since the engagement of the applicant as casual employee is not approved by the Departmental Secretary, the applicant is not entitled to get financial benefit in terms of Memorandum dated April 23, 2010, Memorandum dated September 16, 2011, Memorandum dated May 20, 2013 and Memorandum dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.

Since the applicant has already been receiving monthly remuneration @ Rs.3,000/- per month as part-time Sweeper-cum-Water Carrier in the establishment of the respondent no. 5, the applicant is not entitled to get any relief in the present application. So, the original application is **dismissed**.

( S.K. DAS )  
MEMBER(A)

( R. K. BAG )  
MEMBER (J)

Sanjib