

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 1137 OF 2017

Kartick Das 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
02 28.03.2019	<p>For the Applicant : Mrs. M.D. Chowdhury, Learned Advocate.</p> <p>For the Respondent : None.</p> <p>The applicant has prayed for direction upon the respondents for payment of enhanced remuneration as casual employee in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandum No. 1107-F(P) 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 Water Carrier in the establishment of the respondent no. 3, District Sub-Registrar, Murshidabad and drawing monthly remuneration @ Rs.2,000/- per month. The casual/daily rated/contractual full time employees who were engaged in the Government establishment/organisation and continued in service for more than ten years with the approval of the Principal Secretary of the concerned department of Government of West Bengal, are entitled to get monthly remuneration in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandums issued in this regard from time to time by the Finance Department, Audit Branch, Government of West Bengal. There is nothing on</p>	

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record to indicate that the applicant was engaged as full time casual/daily rated/contractual employee in the establishment of the respondent no. 3 for more than ten years with the approval of the Departmental Secretary of the Government of West Bengal and as such the applicant is not entitled to get remuneration in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and other subsequent Memorandums issued in this regard from time to time by the Finance Department, Audit Branch, Government of West Bengal.

We have heard Learned Counsel for the applicant. None appears on behalf of the state respondents in spite of service of notice as reflected from the Affidavit of service filed on behalf of the applicant. The fact of payment of monthly remuneration @ Rs.,2,000/- per month to the applicant as Water Carrier indicates that the applicant is a part-time casual employee who is entitled to get remuneration @ Rs.2,000/- per month in terms of Memorandum No. 3727-F dated May 20, 2009 issued by the Finance Department, Audit Branch, Government of West Bengal. However, the applicant is entitled to get enhanced remuneration @ Rs.3,000/- per month as Water Carrier w.e.f. January 1, 2018 in terms of Memorandum No. 7284-F(P2) FA/O/2M-1 dated November 27, 2017 issued by the Finance (Audit) Department, Government of West Bengal.

In view of our above findings, the respondent no. 3,

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District Sub-Registrar, Murshidabad is directed to pay enhanced remuneration @ Rs.3,000/- per month to the applicant w.e.f. January 1, 2018 in terms of Memorandum No. 7284-F(P2) FA/O/2M-1 dated November 27, 2017 issued by the Finance (Audit) Department, Government of West Bengal within a period of 12 (twelve) weeks from the date of communication of the order.

With the above direction, the original application is **disposed of.**

Let a plain copy of this order be supplied to the applicant.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib