

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – OA 299 of 2022

Kamal Roy - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

11
12.03.2025

For the Applicant : Mr. S.K. Bhowmick,
Learned Advocate.

For the State : Mr. G. P. Banerjee,
Respondents Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

The applicant has filed this application praying for setting aside the Memorandum 106 dated 11.03.2022 issued by the Principal, Cooch Behar Polytechnic with further direction to enhance his remuneration at Rs. 16,500/- p.m. The applicant also prays that since he has completed twenty years of service, his remuneration may be fixed at Rs. 22,000/-. Attention has been drawn to the relevant documents, in particular Memorandum 3998-F(P2) dated 15.07.2019, in which the enhanced remuneration for contractual/casual/piece rated/daily rated worker has been revised. The applicant claiming to have completed more than twenty years of service, prays for this enhanced remuneration of Rs.22,000/-. Mr. Bhowmick, learned counsel also draws attention to a copy of Memorandum 1297 dated 25.11.2019 in which the Joint Secretary Deptt. of Technical Education, Training & Skill Development has shown remuneration of a Group-D as Rs. 6,600/-. Submission is that the applicant be given his enhanced remuneration.

On the other side, Mr. Banerjee, learned counsel presents a copy of Memorandum 3727 dated 20.09.2009. It is the same Memorandum which was referred to by the Principal, Cooch Behar Polytechnic College in the reasoned order passed on 11.03.2022. This Memorandum fixed a pay not exceeding of Rs. 2,000/- per month for such part time employees employed either throughout or not throughout the year.

Mr. Bhowmic presents a copy of correspondence dated 14.01.2025 from the Deptt to the Director of Technical Education, Training & Skill Development informing him that the remuneration for part time Group-D employees in Govt. Polytechnics employed throughout or not throughout a year has been enhanced to Rs. 5,000/- w.e.f. 01.09.2024. Mr. Bhowmick also confirms that the applicant has been receiving this enhanced remuneration of Rs.5, 000/- for the past two months.

Having heard the submissions of the learned counsels and after examination of this record, it is clear to this Tribunal that the applicant belongs to category of Group-D which is part time in nature and employed every six months of the years. The Notifications 3998-F(P2) dated 15.07.2019 showing remuneration of Rs. 22,000/- p.m. is meant for regular and full time Group-D employees. Therefore, the part time Group-D employees cannot ask such enhanced remuneration. The Memo dated 14.01.2025 which stipulates Rs. 5,000/- p.m. to such category of employees as the present applicant is already being paid. The

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Principal of the college in his reasoned order was correct in concluding that the applicant being a part time Group-D employee, cannot claim parity of pay with other whole time Group-D employees. The Tribunal does not find any irregularities in passing such reasoned order. Thus, this application is disposed of without passing any orders.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

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