

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 45 of 2023

Sunil Kumar Singha @ Sunil Singha and Others. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicants	: Mr. G. Halder, Advocate.
<u>03</u> 02.05.2023.	For the State Respondents	: Mr. G. P. Banerjee, 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the impugned order dated 18.12.2021 of Director General, Fire and Emergency Services, Government of West Bengal. In terms of the Tribunal's direction in O.A.-227 of 2021, the respondent had passed this reasoned order in which the prayer for enhanced remuneration to the applicant under Notification No. 9008-F(P) dated 6th September, 2011 and other matching notifications was rejected.

In the reasoned order, the applicants, referred as part-time Sweepers were drawing a fixed remuneration of ₹ 3,000/- per month. The reasoned order relies on a correspondence of the Divisional Fire Officer, Murshidabad dated 11.12.2021 in which the applicants have been designated as part-time Sweepers drawing a fixed remuneration of ₹ 3,000/- per month.

Mr. G. Halder, learned counsel appearing for the applicant refers to another Memo. 365/2017 dated 06.06.2017 in which the same Divisional Fire Officer has mentioned that the applicants, Montu Hazra, Madhav Hazra and Manik Hazra have worked for 240 days in a year and engaged as Casual Workers.

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After hearing the submissions of the learned counsels, the respondent no. 3 - the Director General, West Bengal Fire and Emergency Services, Government of West Bengal is directed to file a reply on the reference made by the Divisional Fire Officer vide Memo. 365/2017 dated 06.06.2017 in which the applicants have been considered as Casual Workers against sanctioned posts and having worked for 240 days in a year. Since the Memo. 365/2017 dated 06.06.2017 relating to the service status of the applicants is in contradiction to the Memo. No. 383/2021 dated 11.12.2021, the clarification from the Director General, West Bengal Fire and Emergency Services is necessary for disposal of this case. Let the reply be filed before the next date of hearing.

The matter is admitted.

Let the matter be listed under the heading "For Orders" on 26.07.2023.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

S.S./ C.S.M.