

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 552 of 2024.

SHRI BIKAS DAS AND 04 OTHERS - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
20.11.2024

For the Applicants	: Mr. S.K. Mondal, Advocate.
For the State Respondent	: None.

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.

Affidavit of service filed today be kept on record.

The applicants have prayed for a direction to the Respondent authorities to give them the benefit in terms of Memo 9008 F(P) dated 16th September, 2011 and its subsequent memorandums issued by the Finance Department. The applicants, who were approached before this Tribunal in OA 669 of 2019 had prayed for similar direction for benefit under Memorandum 9008 and subsequent Notifications. The Tribunal in that application passed a direction on 25.11.2019 directing the Principal Secretary to the Government of West Bengal, Department of Health & Family Welfare to take a decision with regard to entitlement of the applicants to get benefits in terms of Memorandum 9008 F(P). Submitting on behalf of the applicants, Mr. Mondal, learned counsel states that in terms of such direction of the Tribunal, the petitioners furnished all the supporting documents before the concerned Respondent authorities for their claim of having worked more than ten years and praying for enhanced remuneration under Memo 9008. Mr. Mondal also submits that despite submission of all the relevant documents by the applicants, the Respondent authority did not take any decision. Later, as a reply to an RTI question, the Deputy Director of Health Services replied on 29.7.2024 that those daily rated /casual/contractual Group 'D' workers, whose contractual agreements were made without any sanctioned posts are not entitled to receive benefits of Memo

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9008 F(P). Mr. Mondal submits that despite being entitled and having submitted all the documents, the Respondent authority has not favoured them with the benefits as entitled to them under Memo 9008 F(P).

The matter is admitted.

Let the matter appear under the heading "Hearing" on 10.4.2025.

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

SkG/SM.