

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 64 of 2022

Nilufer Yasmin & Ors. - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

11
06.02.2024

For the Applicant : Mrs. Sonali Mitra,
Learned Advocate.

For the State Respondents : Mr. S. Ghosh,
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 prayer in this application is for a direction to the respondent authorities to release additional incentives of 20% from October, 2020 and also pay an additional incentive performance of Rs. 5,000/- per month to the petitioners.

The applicants are working as Staff Nurse and Health Assistant (Female) under the Department of Health & Family Welfare. It appears from documents in this application that the applicants had submitted representations praying for such benefits to the Mission Director, National Health Mission. Reference is pointed to a Memo of the Deptt. of Health & Family Welfare 329 dated 03.02.2020 in which certain performance linked incentives to Health Assistants have been provided for working under the National Health Mission.

Submission of Mrs. Mitra is that though such responsibilities have been performed by the applicants but such incentives have not yet been accorded in their favour.

Mr. Ghosh, learned counsel for the respondent, however, disagrees and submits that this Tribunal does not have any determination to adjudicate this matter and the Department of Health & Family

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THE STATE OF WEST BENGAL & OTHERS.

Welfare has no direct responsibility to sanction and release such PLIs.

Having heard the submissions and considering the nature of this application, the Tribunal is of the opinion that though this particular project may be fully funded by the Govt. of India but the Deptt. of Health & Family Welfare being the Nodal Department has some responsibility to respond to their representations praying for payment of their performance linked incentives. Since representations have been submitted before the respondent authorities by the applicants, the Tribunal directs the Respondent No. 6, the Mission Director, National Health Mission. Department of Health & Family to consider representations as per rules after checking their eligibility for such benefits.

Liberty is given to the applicants' side to add the Mission Director, National Health Mission as respondent No. 6. Let copy of this order along with copy of the application be served upon the respondent No. 6, Mission Director, National Health Mission. Since Respondent No. 4, West Bengal Health Recruitment Board and Respondent No. 5, Secretary & Controller of Examinations are not necessary respondents in this matter; let their names be expunged from the array of respondents.

The matter is disposed of.

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

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