

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – OA 751 OF 2019

Nirmal Roy & Others 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
03 <hr/> 20.12.2019	<p><i>For the Applicants : Mr. D.K. Sharma, Learned Advocate.</i></p> <p><i>For the State Respondents : None.</i></p> <p style="text-align: center;"><i>Affidavit of service filed on behalf of the applicants is kept on record.</i></p> <p style="text-align: center;"><i>The applicants have prayed for direction upon the respondents for enhancement of the remuneration in terms of Memorandum No. 2966-F(P) dated April 23, 2010 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p style="text-align: center;"><i>The contention of five (5) applicants is that they were engaged as casual employees in the District Hospital at Jalpaiguri on different dates during the period from April 02, 1993 to October 09, 1996. The further contention of the applicants is that they have been receiving remuneration @ Rs. 8,500/- p.m., but they are not receiving remuneration to which the casual employees of the state government are entitled in terms of the memorandum issued from time to time by the Finance Department, Audit Branch, Government of West Bengal. The Superintendent of the District Hospital at Jalpaiguri has communicated in a letter dated June 02, 2018 that he is not the competent authority to take decision</i></p>	

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in connection with enhancement of remuneration of the applicants in terms of the memorandum issued by the Finance Department, Government of West Bengal.

None appears on behalf of the state respondents. In the absence of availability of sufficient materials before us, we are not in a position to decide whether the applicants are entitled to get remuneration as casual employee of the state government in terms of the memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal. Accordingly, we are of the view that the respondent no. 2, Director of Health Services, Government of West Bengal should take a decision regarding entitlement of the applicants to receive enhanced remuneration as casual employees in terms of the Memorandum issued by the Finance Department, Audit Branch, Government of West Bengal on verification of office records within stipulated period of time, after obtaining necessary approval from the departmental secretary, if required.

Under the above circumstances, the respondent no. 2, Director of Health Services, West Bengal is directed to take a decision as to whether the applicants are entitled to get enhanced remuneration as casual employees of District Hospital at Jalpaiguri in terms of Memorandum No. 1107-F(P) dated February 25, 2016 and other Memorandums issued in this regard by the Finance Department, Audit

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Branch, Government of West Bengal on verification of office records by passing reasoned order within a period of twelve weeks from the date of communication of this order and take necessary follow up action, if require, within a period of eight weeks thereafter.

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

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

(S.K.DAS)

Member (A)

(R.K.BAG)

Member (J)

H.S