

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **OA-1022 of 2018**

Dolan Kumar Rajak

Versus

The State of West Bengal & Others.

Serial No. and date of order	Order of the Tribunal with signature	Office action with date and dated signature of parties when necessary.
1	2	3
<u>01</u> 19/02/2019	<p><i>For the Applicant</i> : <i>Mr. M. Karim,</i> <i>Mr. A. Samad,</i> <i>Mr. G.S. Kadri</i> <i>Ld. Advocates.</i></p> <p><i>For the State Respondent</i> : <i>N O N E.</i></p> <p style="text-align: center;"><i>Affidavit of Service filed on behalf of the applicant today is kept on record.</i></p> <p style="text-align: center;"><i>The applicant has prayed for direction upon the respondents for payment of remuneration in terms of Memorandum dated May 20, 2013 and subsequent Memorandum issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p style="text-align: center;"><i>The contention of the applicant is that he has been working as part time sweeper in the establishment of respondent no. 4, Director of Youth Services, Government of West Bengal with effect from the month of January 1989 till date. The further contention of the applicant is that he has been receiving remuneration as casual part time employee @ Rs. 2000/- per month w.e.f. May 20, 2009. The grievance of the applicant is that he has not been paid monthly remuneration in terms of the memorandum dated May 20, 2013 issued by the</i></p>	

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	<p><i>Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>None appears on behalf of the state respondents inspite of service of notice as reflected from the affidavit of service filed on behalf of the applicant. Mr. Karim, Learned Counsel appearing for the applicant submits in his usual fairness that the applicant is entitled to get enhanced remuneration as part time casual employee in terms of Memorandum dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>Since the applicant is a part time casual employee he is not entitled to get remuneration in terms of Finance Department Memorandum dated September 16, 2011 and Memorandum dated May 20, 2013 and subsequent Memorandum issued by the Finance Department, Audit Branch, Government of West Bengal. We fully agree with the submission of Mr. Karim that he is entitled to get enhanced remuneration @ Rs. 3000/- per month w.e.f. January 01, 2018 in terms of Memorandum dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p>	

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Csm	<p><i>Accordingly, the respondent no. 4, Director of Youth Services, Government of West Bengal is directed to consider the entitlement of the applicant to get remuneration in terms of Memorandum No. 7284-F(P₂)/FA/O/2M-01 dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal and take necessary follow up action within a period of 12 (twelve) weeks from the date of communication of the order. With the above direction, the original application stands disposed of.</i></p> <p><i>Let a Plain Copy of the order be supplied to the applicant.</i></p> <p style="text-align: center;">S. K. DAS MEMBER(A)</p> <p style="text-align: center;">R. K. BAG MEMBER(J)</p>	