

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

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

Case No. **OA - 117 of 2018**

*Sankar Sarkar & Ors.*

Versus

*The State of West Bengal & Ors.*

Serial No. and  
date of order

Order of the Tribunal  
with signature

Office action with date  
and dated signature of  
parties when necessary.

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04  
12/12/2018

**For the Applicant** : Mr. S.N. Biswas,  
Ld. Advocate.

**For the State Respondent :** Mr. A. De,  
Mr. A. Dutta,  
Ld. Advocates.

*The applicants have prayed for direction upon the respondents for cancellation of notification dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal by which remuneration of Part-Time Sweepers (nomenclature changed as Karmabandhu) was enhanced from Rs. 2000/- to Rs. 3000/- per month w.e.f. January 01, 2018.*

*The contention of the applicants is that they were engaged as Water Carrier-cum-Sweeper in the establishment of different offices under District Land & Land Reforms Officer, North 24-Parganas in the year 1992. Learned Counsel representing the applicants contends that the applicants are contractual employees working in the establishments under District Land & Land Reforms Officer, North 24-Parganas throughout all working days in every month and thereby they are entitled to get remuneration in terms of Memorandum*

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	<p><i>No. 9008-F(P) dated September 16, 2011 issued by the Finance Department, Audit Branch, Government of West Bengal. On the other hand, the Departmental Representative of the State Respondents contends that the applicants are not Casual/Daily Rated/Contractual employees engaged in any government establishment for the purpose of getting benefit in terms of Memorandum No. 9008-F(P) dated September 16, 2011 issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>Having heard Learned Counsel for the applicants and the Departmental Representative of the state respondents, we find from Annexure P<sub>3</sub> to the original application that the applicants were engaged as Water Carrier-cum-Sweeper on monthly remuneration not exceeding Rs. 700/- per month. No order of engagement of the applicants in the establishments under District Land &amp; Land Reforms Officer, North 24-Parganas as Casual/Daily Rated/Contractual employees is forthcoming before the Tribunal. In the absence of production of order of engagement of the applicants either as casual employees or daily rated employees or contractual employees, we are constrained to hold on the basis of remuneration received by the applicants as reflected in Annexure P<sub>3</sub> that the applicants have been</i></p>	

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	<p><i>working as Sweeper-cum-Water Carrier on part-time basis and thereby they are entitled to get remuneration in terms of Memorandum No. 7284-F(P<sub>2</sub>)/FA/O/2M-01 dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal, by which monthly remuneration of part-time Sweepers (nomenclature changed as Karmabandhu) was enhanced from Rs. 2,000/- per month to Rs. 3,000/- per month w.e.f. January 01, 2018. In view of our above observation, we are unable to accept the contention made on behalf of the applicants that they will not be governed by Memorandum dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>As a result, the present application is <b>dismissed</b>.</i></p> <p><i>Let a <b>Plain Copy</b> of the order be supplied to both parties.</i></p> <p><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	

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