

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA-1192/2017**

Shyamal Sarkar

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.

1

2

3

01
14/02/2019

For the Applicant : *Mr. G. Halder,*
Ld. Advocate.

For the State Respondent : *Mr. G.P. Banerjee,*
Mr. B.P. Roy,
Ld. Advocates.

The applicant has prayed for direction upon the respondents to give enhanced remuneration in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.

The contention of the applicant is that he was engaged as casual worker along with other Casual/Contractual/Daily Rated workers in the Divisional Forest Office, Jalpaiguri Social Forestry Division, Government of West Bengal. However, the name of the applicant forwarded to the higher authority for granting benefit in terms of Finance Department Memorandum dated September 16, 2011 and February 25, 2016 was not considered, while the names of other Casual/Contractual/Daily Rated employees were considered by the higher authority for the said benefit. It appears from letter dated August 03, 2017 addressed to the Principal Chief Conservator of Forest, (HOFF), West Bengal by the Divisional Forest Officer,

ORDER SHEET – (Continuation)

Form No.

Shyamal Sarkar
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA-1192/2017**

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
	<p><i>Jalpaiguri Social Forestry Division (Annexure 'B' to the original application) that the applicant was engaged as casual employee on April 01, 2004 and his name was duly forwarded for granting benefit of Finance Department Memorandum dated September 16, 2011 and February 25, 2016, but no decision has yet been taken by the Principal Chief Conservator of Forest, (HOFF), West Bengal.</i></p> <p><i>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the respondent no. 2 should consider the entitlement of the applicant to get benefit of Finance Department Memorandum dated September 16, 2011 and February 25, 2016 within specific period of time. Accordingly, the respondent no. 2, Principal Chief Conservator of Forest, (HOFF), West Bengal is directed to consider the entitlement of the applicant to get remuneration in terms of Finance Department Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent memo issued in this regard by the Finance Department, Audit Branch, Government of West Bengal on consideration of letter dated August 03, 2017 sent by Divisional Forest Officer, Jalpaiguri Social Forestry Division (Annexure 'B' to the original application) within a period of 12 (twelve) weeks from the date of communication of the order and take</i></p>	

ORDER SHEET – (Continuation)

Form No.

Shyamal Sarkar
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA-1192/2017**

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
Csm	<p><i>necessary follow up action, if any, within a period of 8 (eight) weeks thereafter. With the above direction, the original application stands disposed of.</i></p> <p><i>Let a Plain Copy of the order be supplied to both parties.</i></p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	