

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. OA 123 of 2019

Surya Barman & Anr.

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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<u>02</u> 25/03/2019	<p>For the Applicant : Mrs. B. Dutta, Ld. Advocate.</p> <p>For the State Respondent : Mr. R.A. Chowdhury, Ld. Advocate.</p> <p style="text-align: center;">Affidavit of service filed on behalf of the applicant today is kept on record.</p> <p style="text-align: center;">The applicants have prayed for direction upon the respondents for enhancement of remuneration of the applicants in terms of memorandum issued by the Finance Department, Audit Branch, Government of West Bengal and other ancillary reliefs.</p> <p style="text-align: center;">Learned Counsel representing the applicants has not pressed for prayer 'C' of the original application by which the applicants prayed for cancellation of memo no. 93-DSW(UD) dated January 21, 2019 issued by the District Magistrate and Chairperson of Selection Committee, Uttar Dinajpur. Accordingly, prayer 'C' of the original application stands rejected.</p> <p style="text-align: center;">It appears from the materials on record that the applicant no. 1 has been working as Cook from July 2006 and the applicant no. 2 has been working as Guard from December 1995 in the establishment of</p>	

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	<p>the Principal-in-Charge, Suryadaya Children Home for Deaf and Dumb Boys and Girls, Karnajora, Raiganj, Uttar Dinajpur. The contention of the applicant is that they have been working as Contractual/Daily rated/Casual government employee and as such they are entitled to get remuneration in terms of memo no. 9008-F(P) dated September 16, 2011 and subsequent Memoranda issued by the Finance Department, Audit Branch, Government of West Bengal. The grievance of the applicants is that the respondent no. 5 has already forwarded the case of the applicants to the respondent no. 3 under letter dated March 09, 2018 (annexure 'B' to the original application) for enhancement of remuneration, but the said letter has not yet been considered by the respondent no. 3.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are of the view that the respondent no. 3 should consider whether the applicants are entitled to get enhanced remuneration in terms of Finance Department Memorandum issued by the Government of West Bengal for payment of remuneration to Contractual/Daily rated/Casual employees. Accordingly, the respondent no. 3, the Director of Child Rights and Trafficking, Government of West</p>	

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Csm	<p>Bengal is directed to consider the entitlement of the applicants to get enhanced remuneration as recommended by the respondent no. 5 on March 09, 2018 (annexure 'B' to the original application) in terms of memo no. 9008-F(P) dated September 16, 2011 and subsequent Memoranda on the subject issued by the Finance Department, Audit Branch, Government of West Bengal within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action within a period of 08 (eight) weeks thereafter.</p> <p>With the above direction, the original application stands disposed of.</p> <p>Let a Plain Copy of the order be supplied to both the parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	