

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 1288 OF 2016

Amit Singha 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
13 <hr/> 13.01.2020	<p><i>For the Applicant : Mr. M.N. Roy, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. D. Koley, Learned Advocate.</i></p> <p><i>For the Respondent No. 3 : Mr. A. Dutta, Departmental Representative.</i></p> <p><i>The applicant has prayed for direction upon the respondents for enhancement of remuneration as casual employee in terms of Memorandum No. 4011-F(P) dated May 20, 2013 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal and other consequential benefits.</i></p> <p><i>The contention of the applicant is that he was engaged as daily rated casual employee in the office of Additional District Magistrate (LA), Murshidabad in the establishment of the District Magistrate, Murshidabad in the year 2004 on payment of remuneration for a period of 15 working days in a calendar month. The further contention of the applicant is that he received a sum of Rs. 1,407/- for the month of March 2005 and April 2005 @ 93.81 per day for a period of 15 days in a calendar month.</i></p>	

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It is contended on behalf of the applicant that he is entitled to get remuneration at enhanced rate as full time casual employee in terms of Memorandum No. 4011-F(P) dated May 20, 2013 and subsequent Memorandums issued by the Finance Department, Audit Branch, Government of West Bengal.

Having heard Learned Counsel for the applicant, Learned Counsel for the state respondents and the departmental representative of the respondent no. 3 , we find that the applicant was engaged as daily rated casual employee for discharge of duty in all the working days of a month on payment of remuneration as daily rated labourer for a period of 15 days in a calendar month. No materials have been placed before us to ascertain whether the applicant has been still discharging his duty as a casual employee in the establishment of the District Magistrate, Murshidabad. The materials have not been placed before us to decide whether the applicant is entitled to get remuneration as a full time casual employee in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal.

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Under the above circumstances, we direct the respondent no. 3, Principal Secretary to the Government of West Bengal, Department of Land & Land Reforms to consider whether the applicant is entitled to get enhanced remuneration in terms of Memorandum No. 9008-F(P) dated September 16, 2011, Memorandum No. 4011-F(P) dated May 20, 2013 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal on verification of records by passing a reasoned order within a period of 12 weeks from the date of communication of the order and to take follow up action, if any, within a period of 8 weeks thereafter.

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

Let a plain copy of the order be supplied to both parties.

**(S.K.DAS)
Member (A)**

**(R.K.BAG)
Member (J)**

H.S