

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 184 OF 2019

Partha Chandra 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
<p style="text-align: center;">04 <hr/>24.06.2019</p>	<p><i>For the Applicant : Mr. B. Chakraborty, Mrs. S. Agarwal, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. A.L. Basu, Learned Advocate.</i></p> <p><i>The applicant has prayed for direction upon the respondents for payment of remuneration as stipulated in G.O. No. 2966-F(P) dated April 23, 2010 and all subsequent G.O.s issued in this regard by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>The applicant was engaged as casual employee by the respondent no. 5 w.e.f. June 19, 1988. It appears from letter dated May 03, 2016 issued by the respondent no. 5 that the applicant has been receiving remuneration @ Rs. 2,000/- p.m. Learned Counsel for the applicant submits that the applicant is entitled to get enhanced remuneration in terms of Finance Department Memo No. 2966-F(P) dated April 23, 2010 and other subsequent Memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal. On the other hand, Learned Counsel representing the state respondents</i></p>	

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contends that the applicant will not be governed by Memorandum No. 2966-F(P) dated April 23 and other subsequent Memorandums issued in this regard by the Finance Department, Audit Branch, Government of West Bengal as the applicant has been discharging the duty as part time employee in the establishment of respondent no. 5.

Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that the applicant has been receiving monthly remuneration @ Rs. 2,000/- p.m. which unerringly points out that the applicant is a part time casual employee in the establishment of the respondent no. 5. Since the applicant has been discharging the duty as part time casual employee, he is entitled to get enhanced remuneration @ Rs. 3,000/- p.m. w.e.f. January 01, 2018 in terms of Memorandum No. 7284-F(P2)/FA/O/2M/1 dated November 27, 2017 issued by the Finance Department , Audit Branch, Government of West Bengal. The applicant is not entitled to get financial benefit in terms of G.O No.2966-F(P) dated April 23, 2010 and all other subsequent GOs issued by the Finance Department, Government of West Bengal for full time casual, daily rated and contractual employees.

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In view of our above observation, we direct the respondent no. 5, Sub-Divisional Controller, Food & Supplies, Suri to pay the applicant enhanced remuneration @ 3,000/- p.m. w.e.f. January 01, 2018 in terms of Memorandum No. 7284-F(P2)/FA/O/2M/1 dated November 27, 2017 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.

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

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S