

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 24 OF 2018**

*Sabitri Roy & Others* 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
08 <hr/> 05.02.2020	<p><i>For the Applicants : Mrs. P. Chatterjee , Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. D. Koley, Learned Advocate.</i></p> <p><i>The applicants have prayed for direction upon the respondents for payment of enhanced remuneration as casual employees in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandums issued by the Finance Department, Audit Branch, Government of West Bengal.</i></p> <p><i>It appears from the materials on record that the applicant no. 1 Sabitri Ray and the applicant No. 2 Sunil Das were engaged as casual employees on monthly remuneration of Rs. 2000/- p.m. by the District Inspector of School (Secondary Education) w.e.f. the year 2005 and 1987 respectively. The applicant no. 3 Anima Barman was engaged as casual employee from the year 1993 by the Director of School Education (PE), Coochbehar. The remuneration of the applicants could not be paid due to objection raised by the Treasury Officer and as such the Commissioner of School Education (West Bengal) forwarded the case of the applicants to the Departmental Secretary under Memo No. 423-Sc/Apt dated April 05, 2013 and reminder in this regard was issued on June 13,</i></p>	

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*2018 but no response has yet been received in this regard.*

*Having heard Learned Counsel representing both parties and on consideration of the materials on record, we are not in a position to decide whether the applicants are entitled to get remuneration as part time casual employees in terms of Memorandum No. 7284-F(P<sub>2</sub>)/FA/O/2M-1 dated November 27, 2017 issued by the Principal Secretary to the Government of West Bengal, Department of Finance, or as full time casual employees 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. In the absence of sufficient materials before us we are of the view that the respondent no. 1 should take a decision on verification of records whether the applicants are entitled to get remuneration as part time casual employees or as full time casual employees.*

*As a result of our above observations, we direct the respondent no. 1, Secretary, Department of School Education, Government of West Bengal to consider whether the applicants are entitled to get remuneration as part time casual employees in terms of memorandum dated November 27, 2017 or as full time casual employees*

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*in terms of memorandum dated September 16, 2011.*

*In view of our above findings, we direct the respondent no. 1, Secretary, Department of School Education, Government of West Bengal to consider whether the applicants are entitled to get remuneration as part time casual employee in terms of Memorandum No. 7284-F(P<sub>2</sub>)/FA/O/2M-1 dated November 27, 2017 issued by the Principal Secretary to the Government of West Bengal, Department of Finance, or as 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 on verification of records within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action, if any, within a period of 08 (eight) weeks thereafter. With the above direction, the original application stands **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