

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

Hon'ble Justice Soumitra Pal, Hon'ble Chairman &
Hon'ble Dr. Subesh Kumar Das, Administrative Member.

CASE NO. OA 352 of 2020.

KANAI BASFORE –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;">2</p> <hr/> <p>9.12.2020.</p>	<p>For the Applicant : Mr. U.N. Betal, Advocate.</p> <p>For the State Respondent : Mr. G.P. Banerjee, Advocate.</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p style="text-align: center;">In this application Kanai Basfore, the applicant now working as Sweeper in Balurghat Central Correctional Home at Mongalpur, Dakshin Dinajpur has prayed for certain reliefs, the relevant portion of which is as under :-</p> <p style="text-align: center;">“a. Pass an appropriate order or direction be passed commanding the respondent authorities concerned and/or each of them and/or their competent authorities forthwith by following the memorandum no. 9008-F(P) dated 16th September, 2011 to give the applicant financial benefit/salary of Rs. 20,000/ per month along with accrued arrears and interests thereon w.e.f. 1st March, 2016 for completing more than 20 years service as per the Memorandum no. 1107-F(P) dated Howrah, the 25th February, 2016 and Rs. 22000/- per month along with accrued arrears and interests thereon</p>	

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	<p>w.e.f. 1ST February, 2019 for completing more than 20 years service as per the Memorandum no. 1033-F(P2) dated Howrah, the 8th February, 2019 of the Government of West Bengal, Finance Department, Audit Branch.</p> <p>b. Pass an appropriate order or direction commanding the respondent authorities concerned and/or each of them and/or their competent authorities to forthwith consider the representation dated 31.12.2019 of the applicant and to give him financial benefit/salary of Rs. 20,000/- per month along with accrued arrears and interests thereon w.e.f. 1ST March, 2016 for completing more than 20 years service as per the Memorandum no. 1107-F(P) dated Howrah, the 25th February, 2016 and Rs.22,000/- per month along with accrued arrears and interests thereon w.e.f. 1ST February, 2019 for completing more than 20 years service as per the Memorandum no. 1033-F(P2) dated Howrah, the 8th February, 2019 of the Government of West Bengal, Finance Department, Audit Branch...".</p> <p>It is submitted by Mr. U.N. Betal, learned advocate for the applicant that though he is working since 1991 and is drawing a salary of Rs.8500/- ,as</p>	

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	<p>evident from memo dated 29th April, 2020, however enhanced pay has not been sanctioned in favour of the applicant in terms of memo issued in 2016 and 2019. Though representations dated 31st July, 2019 and on 31st December, 2019 were furnished before the Director General and Inspector General of Correctional Services, West Bengal – the respondent no. 3, those have not been considered. Aggrieved this application has been filed. Submission is since representations are pending since long, appropriate order may be issued upon the respondents for considering the same.</p> <p>Mr. G.P, Banerjee, learned advocate appearing on behalf of the State respondents submits that, if directed, the State authorities will consider the representations in accordance with law, and the applicant have to demonstrate that he is eligible for the benefits.</p> <p>Having heard the learned advocates for the parties and as prayed for on behalf of the applicant, the original application is disposed of by directing the Principal Secretary, Department of Correctional Administration, Government of West Bengal –</p>	

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Skg.	<p>respondent no. 2 to dispose of the representations dated 31st July, 2019 and 31st December, 2019, appearing at pages 43 and 44 respectively, by passing a reasoned order to be communicated to the parties within twelve weeks from the date of presentation of a copy of this order downloaded from the internet/website, after giving an opportunity of hearing and after verifying the records.</p> <p>Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(Subesh Kumar Das) Member (A).</p> <p>(Soumitra Pal) Chairman.</p>	