

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA - 57 of 2018**

Netai Saha & 14 Ors.

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.
1 <u>03</u> 03/10/2018	2 For the Applicant : Mr. A.S. Biswas, Mr. A. Sinha, Ld. Advocates. For the State Respondent : Mr. S.K. Chakraborty, Ld. Advocate. <i>Affidavit of Service filed on behalf of the applicant is kept on record. The applicants have prayed for direction upon the respondents for grant of enhanced remuneration to the applicants for discharging their duty as Contract Contingent Menial/Sweeper in the establishment of Superintendent of Police, Uttar Dinajpur.</i> <i>The contention of the 16 (sixteen) applicants is that they have been engaged as Contract Contingent Menials in the establishment of Superintendent of Police, Uttar Dinajpur on different dates during the period from 1994 to 2010 and they have been receiving monthly remuneration @ Rs. 2000/- for discharging their duty. The grievance of the applicants is that the casual employees and part time sweepers engaged in the establishment of District Magistrate and Collector of Uttar Dinajpur are getting</i>	3

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	<p><i>monthly remuneration @ Rs. 6635/- w.e.f. March 01, 2015, whereas the present applicants are getting only Rs. 2000/- as remuneration per month.</i></p> <p><i>Having heard Learned Counsel representing both parties and on consideration of the materials on record we do not find any document to establish that the applicants have been engaged as full time casual employees in the establishment of Superintendent of Police, Uttar Dinajpur. The fact of receiving remuneration of Rs. 2000/- per month for discharging the duty by the applicants as Contract Contingent Menial/Sweeper indicates that they have been engaged as part time casual employees. Accordingly, the applicants are entitled to get remuneration @ Rs. 3000/- per month w.e.f. January 01, 2018 on the basis of Memorandum No. 7284-F(P₂)/FA/O/2M-01 dated November 27, 2017 issued by the Finance (Audit) Department, Government of West Bengal. The respondent no. 4, Superintendent of Police, Uttar Dinajpur is at liberty to consider the entitlement of the applicants to get remuneration in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandums of 2013 and 2016 issued by the Finance Department, Audit Branch, Government of West Bengal, if the said</i></p>	

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	<p><i>respondent no. 4 is satisfied that the applicants have been engaged as casual employees for discharging their duty on full time basis on fulfillment of the conditions laid down in the Memorandum No. 9008-F(P) dated September 16, 2011.</i></p> <p><i>In view of our above observation, the respondent no. 4, Superintendent of Police, Uttar Dinajpur is directed to grant remuneration to the applicants in terms of Memorandum No. 7284-F(P₂)/FA/O/2M-01 dated November 27, 2017 issued by the Finance (Audit) Department, Government of West Bengal and to consider whether the applicants are entitled to get remuneration in terms of Finance Departments Memo No. 9008-F(P) dated September 16, 2011 and subsequent Memorandums issued in 2013 and 2016 by the Finance Department, Audit Branch, Government of West Bengal by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of the order. With the above direction the original applications stands disposed of.</i></p>	

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Csm	<p><i>Let a Plain Copy of the order be supplied to both parties.</i></p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	

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