

ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. **OA 77 of 2019**

Sankar Majhi & Anr.

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.

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2

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05
19/08/2019

For the Applicant : Mr. A. Chakraborty,
Ld. Advocate.

For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

Affidavit of Service filed on behalf of the applicant
today is kept on record.

The applicants have prayed for direction upon
the respondents for grant of remuneration as casual
employee in terms of memorandum No. 9008-F (P)
dated September 16, 2011, memorandum dated May
20, 2013 and memorandum dated February 25, 2016
issued by the Finance Department, Audit Branch,
Government of West Bengal.

The contention of the applicants is that they
have been working as casual employee in the
establishment of the respondent no. 3, Deputy
Director of Agriculture (Administration), Berhampore
in the district of Murshidabad from the year 1986. The
further contention of the applicants is that the
applicant no. 1 is getting remuneration @ ₹ 2000/-
per month and the applicant no. 2 is getting
remuneration @ ₹ 1650/- per month for discharging
their duties. The grievance of the applicants is that
they have not been paid remuneration in terms of
memorandum no. 9008-F (P) dated September 16,
2011 and subsequent memorandums issued in this

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	<p>regard by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>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 employee in terms of memorandum dated November 27, 2017 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. In the absence of sufficient materials before us, we are of the view that the respondent no. 2 should take a decision on verification of records whether the applicants are entitled to get remuneration as part time casual employee or as full time casual employee.</p> <p>In view of our above observation, we direct the respondent no. 2, Director of Agriculture, Government of West Bengal to consider whether the applicants are entitled to get remuneration as part time casual employee in terms of memorandum no. 3727-F dated May 20, 2009 being modified by memorandum no. 728F(P₂)/FA/O/2M-1 dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal or as full time casual</p>	

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Csm	<p>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 and take necessary follow-up action by obtaining approval from the Departmental Secretary, if necessary, within a period of 08 (eight) weeks thereafter. With the above direction, the original application stands disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	