

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA-18 of 2019

Santi Barman 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
5 26.09.2019	<p>For the Applicant : Mrs. S. Agarwal, Learned Advocate.</p> <p>For the State Respondents : Mr. S.N. Ray, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to enhance the remuneration of the applicant in terms of Memorandum No.4011-F(P) dated May 20, 2013 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>The contention of the applicant is that she was engaged as daily rated casual employee in the establishment of the respondent No. 6, Assistant Farm Manager, Block – C Farm, Sitai in the district of Cooch Behar w.e.f. April 11, 1990. The further contention of the applicant is that she has been paid remuneration of Rs.3192/- in the month of October, 2018, Rs.3190/- in the month of November, 2018 and @Rs.4788/- in the month of December, 2018, January, 2019 and February, 2019.</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 applicant is 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</p>	

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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 applicant is entitled to get remuneration as part time daily rated casual employee or as full time daily rated casual employee.

In view of our above observation, we direct the respondent No. 1, Principal Secretary / Additional Chief Secretary to the Government of West Bengal, Department of Agriculture to consider whether the applicant is entitled to get remuneration at enhanced rate in terms of Memorandum No.4011-F(P) dated May 20, 2013 and Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal on verification of records, within a period of twelve weeks from the date of communication of the order and take necessary follow-up action within a period of eight weeks thereafter.

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

Let a plain copy of the order be supplied to both parties.

S. K. DAS
MEMBER(A)

R. K. BAG
MEMBER(J)

Rajib

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