

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 966 OF 2018**

Bhairab Kahar & Another 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
01 27.02.2019	<p>For the Applicants : Mrs. L. Majumder, Learned Advocate.</p> <p>For the Respondents : None.</p> <p>Affidavit of service filed on behalf of the applicants today is kept on record.</p> <p>The applicants have prayed for direction upon the respondents for giving remuneration to the applicants in terms of Memorandum No. 1107-F(P) dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.</p> <p>It appears from the materials on record that the applicant No. 1 has been working as Water Carrier and the applicant No. 2 has been working as Sweeper in the establishment of the respondent No. 4, District Veterinary Officer, Birbhum. It further appears from the materials on record that the applicants have been receiving monthly remuneration @Rs.1000/- p.m. from the year 1990. On consideration of the materials on record, we find that the applicants are not full time casual/daily rated/contractual employee in the establishment of the respondent No. 4 and as</p>	

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such the applicants are not entitled to get financial benefit in terms of Memorandum No. 9008-F(P) dated September 16, 2011 and subsequent Memorandum including Memorandum No. 1107-F(P) dated February 26, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal.

On our query, Learned Counsel for the applicants submits that the applicants may be given financial benefit as part time Sweeper-cum-Water Carrier in terms of Memorandum issued by the Finance Department, Audit Branch, Government of West Bengal. Since the applicants have been working as part time Sweeper-cum-Water carrier in the establishment of the respondent No. 4 from the year 1990 and getting remuneration @Rs.1000/- p.m., we are of the view that the applicants are entitled to get remuneration @Rs.2000/- p.m. in terms of Memorandum No. 3727-F dated May 20, 2009 and remuneration @Rs.3000/- p.m. in terms of Memorandum No. 7284-F(P2)/FA/O/2L-1 dated November 27, 2017 issued by the Finance Department, Audit Branch, Government of West Bengal.

Accordingly, the respondent No. 4, District Veterinary Officer, Birbhum is directed to take necessary steps for release of enhanced remuneration in favour of the applicants @Rs.2000/- per month in terms of Finance Department Memorandum No. 3727-F dated May 20, 2009 and @RS.3000/- per month in terms of Finance Department Memorandum No. 7284-F(P2)/FA/O/2L-1

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dated November 27, 2017 including arrears of remuneration, if any, within a period of twelve weeks from the date of communication of the order.

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

Let a plain copy of the order be supplied to the applicant.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Rajib