

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.478 of 2023

Rehana Begam, aged:44 years, W/o: Sahid Miah, R/o: Vill: Masjid Road,
Joypur, Border Golchakkar, West Tripura.

....Petitioner(s)

Versus

- 1. The State of Tripura**, to be represented by the Secretary, Finance Department, Govt. of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S.: New Capital Complex, Agartala, West Tripura, PIN: 799010.
- 2. Tripura State Electricity Corporation Limited**, to be represented by the Chairman-cum-Managing Director, Bidyut Bhaban, Banamalipur, Agartala, Tripura.
- 3. The Chairman-cum-Managing Director**, Bidyut Bhaban, Banamalipur, Agartala, Tripura.
- 4. The Dy. General Manager**, Electric Division No:I, Agartala, Tripura.

....Respondent(s)

For the Petitioner(s)	:	Ms. A. Debbarma, Advocate Mr. D. Paul, Advocate
For the Respondent(s)	:	Mr. M. Debbarma, Addl. GA Mr. N. Majumder, Advocate

HON'BLE MR. JUSTICE ARINDAM LODH

Order

23/07/2024

Heard Ms. A. Debbarma, learned counsel appearing for the petitioner. Also heard Mr. M. Debbarma, learned Addl. GA appearing for respondent no.1 and Mr. N. Majumder, learned counsel appearing for respondents no.2 to 4.

By way of filing this writ petition the petitioner has sought for treating her service as Daily Rated Worker(DRW).

It is the case of the petitioner that she was engaged as Part Time Worker(PTW) in the year 1998 under the respondents. On 7th November, 2012(*Annexure-11* to the writ petition), the Govt. of Tripura came out with a scheme whereby and whereunder it was decided that all PTWs working in different departments of the Government for 2(two) hours/3(three) hours/4(four) hours and engaged on or prior to 31.03.2003 and completed 10(ten) years of service would be engaged as DRWs, Group D w.e.f.

01.12.2012 subject to fulfillment of service conditions enumerated in the said memorandum.

Ms. Debbarma, learned counsel for the petitioner has submitted that in view of the said memorandum dated 7th November, 2012, the service of the petitioner was to be treated as DRW since by that time she had completed 10(ten) years of service as PTW. So, according to the said memorandum, the petitioner of this writ petition should be treated as DRW w.e.f. 01.12.2012. Ms. Debbarma, learned counsel has further relied upon another memorandum whereby and whereunder, the Govt. of Tripura regularized the service of all the DRWs who completed 10 years of service as DRW.

However, in the meantime, by memorandum dated 31.07.2018, the earlier policies of regularization have been repealed by the government, that is, before completion of 10 years of service of the petitioner the policy for regularization has been repealed. So, the petitioner is not entitled for regularization of her service as Group D employee. However, the petitioner is entitled to get the benefit of DRW w.e.f. 01.12.2012 as she completed 10(ten) years of service as PTW during the subsistence of the memorandum dated 7th November, 2012.

In view of the above, the respondents are directed to provide all the benefits to the petitioner, which a DRW is entitled to, if not already provided.

The instant writ petition stands allowed in the above terms.

JUDGE

Snigdha

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