

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. –OA 708 OF 2023

SUPARNA MONDAL & ANOTHER - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mrs. Sonali Mitra,
and Advocate

Date of order For the State Respondents : Mr. Gaurav Haldar,
Advocate

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06.08.2024

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

In terms of the earlier order, supplementary affidavit filed today, be kept on record.

The prayer in this application is for a direction to the respondent authorities for releasing the House Rent Allowances as admissible from 2019 and not to deduct the amount of HRA. From the submissions of the learned counsels and the representation furnished by the applicant dated 04.01.2023, it is understood that though an official quarter in the vicinity of the hospital has been allotted to her, but she has decided not to reside there. Instead she lives in her own house which is, as per her statement, 1.5 km away from the hospital.

In the opinion of this Tribunal, this applicant, being a Staff Nurse, is required to stay in such a quarter in the larger interest of public health service. Of course, she prefers to reside in her own house and also draws the HRA. The question now arises as to whether an employee is obliged to stay in such an official quarter? The Tribunal is not aware of any specific rule in this regard, but is of the strong view that, being a Staff Nurse, she is responsible for providing basic health services to the local population. It is highly desirable that she stays in the official quarters which will help the local health administration to provide better health services to the local population. Having opined thus, it is also the primary responsibility of the respondent authorities to ensure that such official quarters allotted to the employees are in proper condition and safe. Nevertheless, since she has furnished a representation, let it be considered as per norms and Rules by the respondent No.4, the Block Medical Officer of Health, Padmerhat Rural Hospital, Joynagar Block-I, District – South 24 Parganas within a period of two months from today.

The application is disposed of.

SCN.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)