

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA-613 of 2019

Indrajit Paul 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
2 30.09.2019	<p>For the Applicant : Mr. I. Paul, Appears in person.</p> <p>For the State Respondents : Mr. G.P. Banerjee, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to withdraw him from the post of Senior Research Officer, BRAIPRD at Kalyani and to give him a suitable posting either in Kolkata or in Salt Lake or in Howrah or in the Secretariat or Directorate situated in Kolkata.</p> <p>The contention of the applicant is that he is an officer of West Bengal Civil Service (Executive) and was posted as Joint Secretary in the Department of Disaster Management and Civil Defence wherefrom he was transferred to the post of Additional Director, State Lotteries by Notification dated August 17, 2017 issued by the Joint Secretary to the Government of West Bengal, Department of Personnel and Administrative Reforms, Government of West Bengal. Thereafter, the applicant was again transferred to the post of Senior Research Officer, BRAIPRD, Kalyani in the district of Nadia by Notification dated October 26, 2017 issued by the Joint Secretary to the Government of West Bengal, Department of Personnel and Administrative Reforms, Government of West Bengal. The grievance</p>	

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of the applicant is that he was transferred outside Kolkata at the age of 53, when his daughter aged about 7 years was studying in Class II at Ballygunge in Kolkata and his wife had to take care of his daughter. The further grievance of the applicant is that the post of Senior Research Officer is not befitting to the status and rank of the applicant who previously held the post of Joint Secretary to the Government of West Bengal and thereby Human Resources are being misused by the State Government.

Having heard the applicant in person and the Learned Counsel for the State respondents and on consideration of the representation submitted by the applicant after almost 6 months of his joining in the post of Senior Research Officer, we find that the applicant is aggrieved for his posting at Kalyani. We fail to understand what is meant by rank and status of the applicant when his salary and perks have not been lowered down and when he is getting ample opportunity to contribute to the society by discharging his duty as Senior Research Officer. No materials have been placed before us to infer that the transfer of the applicant from the post of Additional Director, State Lotteries to the post of Senior Research Officer, BRAIPRD, Kalyani is mala fide in nature. Since transfer of the applicant is the condition of service, we do not accept the submission made by the applicant that the human resources are being misused by the State Government, particularly when it is the prerogative of the State Government to decide how the human resources will be utilised for running the administration.

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In view of our above findings, the original application is dismissed.

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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