

HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.2 of 2025

Alindra Jamatia, Age-55 years

S/O-Lt. Kunja Kishore Jamatia,
Present Address C/O - Sitesh Debbarma,
Village - Chong Preng Kami, P.O - Bankumari,
P.S - Bodhjungnagar, Nandannagar, Agartala,
District - West Tripura, PIN - 799006

....Petitioner(s)

Versus

- 1. Tripura Tribal Areas Autonomous District Council**, represented by the Chief Executive Officer, TTAADC, Khumulwng, West Tripura
- 2. Chief Executive Officer**, TTAADC, Khumulwng, West Tripura
- 3. The Principle Officer**, Education Department, Khumulwng TTAADC, West Tripura

....Respondent(s)

For the Petitioner(s)	:	Mr. Kawsik Nath, Advocate
For the Respondent(s)	:	Mr. Bhaskar Debbarma, Advocate

HON'BLE MR. JUSTICE ARINDAM LODH

Order

13/02/2025

I have heard Mr. Kawsik Nath, learned counsel appearing for the petitioner and Mr. Bhaskar Debbarma, learned counsel appearing for the respondents-TTAADC.

By way of filing the present writ petition, the petitioner has challenged the impugned transfer order dated 18.12.2024 (*Annexure-3* to the writ petition) from Mailuma Model JB School under Inspector of Schools, Mandwi, TTAADC to Gobinda Bari SB School under Inspector of Schools, Chawmanu, TTAADC. The petitioner submitted representation to the Principal Officer, Education, TTAADC, but it was not considered by the authority concerned. Hence, this writ petition.

Mr. Nath, learned counsel for the petitioner has submitted that the petitioner is subjected to frequent transfers. Moreover, the present transfer order is punitive in nature.

Mr. Nath, learned counsel drawing attention of this Court to some irregularities allegedly committed by the petitioner while serving in his existing place of posting, has highlighted the statements made in paragraphs 15, 16 and 17 of the writ petition which are as under:-

“15 That, the impugned office order is not a transfer order simpliciter. It is necessary to state, that, the Petitioner was issued show cause notice by the Addl. Chief Executive Officer, TTAADC, Khumulwng, vide letter, dated, 07.11.2024. In that letter it was contended, that, the Petitioner has allegedly made false statement regarding the recruitment examination process for the post of Sub Zonal Development Officer/ Deputy Zonal Officer of TTAADC. It is also alleged, that, the Petitioner's statement has made false information which has mislead the public and tarnished the image of the TTAADC. Stating so it is alleged, that, conduct of the Petitioner is in direct violation of the professional standards expected on the employee of the TTAADC. The Petitioner was asked to explain as to why disciplinary action shall not taken against him for this alleged misconduct. The Petitioner was asked to address the following points;

- i. An explanation of the statements made by you regarding the recruitment examination.*
- ii. Evidence, if any, supporting the claims you have made.*
- iii Any reasons you may have to justify your actions and statements.*

*Copy of the show cause notice, dated, 07.11.2024, is annexed herewith and marked as **Annexure 8***

16. That, the Petitioner by reply, that, 18.11.2024, made response to the show cause notice, dated, 07.11.2024. The Petitioner submitted, that, he has not tarnished or damaged the image or reputation of TTAADC administration. The Petitioner stated, that, during the period from 16.07.2024 to 19.07.2024, he was fraudulently and unethically approached by one Prasanta Debbarma, resident of Nandannagar, Agartala to take opportunity of the job of SZDO / Deputy PO under TTAADC by paying Rs 20 lakhs. The Petitioner was disturbed by such offer from Prasanta Debbarma and in this regard the Petitioner consulted with Haridhan Debbamra. Advocate, on the condition, that, his conversation with Haridhan Debbarma, through telephone will not be recorded. The Petitioner informed Hardian Debbarma, through telephone of such unethical approach made by one Prashanta Debarma and the Petitioner sought for suggestion as to what action would be taken against such unethical approach. But Haridhan Debbarrma, Advocate, recorded the

telephonic conversation of the Petitioner with him and made such record viral. When it became viral, the Petitioner received threat from many corners and under compulsion the Petitioner was compelled to make further statement to reverse his earlier statement. Thereafter, the Petitioner stated in his representation, how Prashanta Debbarma, visited his rented house in the morning on 19.07.2024 and informed the Petitioner that, if 20 lakhs is given by the morning of 20.07.2024, then coaching will be given with question papers by the evening of 20.07.2024, so that, with such question paper, appearance in the examination scheduled to held on 21.07.2024, will be easier. Stating everything the Petitioner named the persons who threatened him when he talk with Haridhan Debbarma, Advocate, became viral. The Petitioner also stated, that, how he was pressurized by one Mangal Kalai to pay Rs 40,000/- to Jorani News on online. The Petitioner stated, that, he is a peaceful citizen and employee of the TTAADC. He wants that recruitment process of the TTAADC should be honest and transparent one. When the Petitioner got smell of the recruitment scam, the Petitioner consulted with an Advocate to bust the scam. Stating so, the Petitioner submitted, that, TTAADC authority, may lodge FIR to unearth the truth and eliminate the alleged corrupt practice in TTAADC or the Petitioner may be permitted to lodge FIR in this regard. The Petitioner made honest response to the show cause notice, dated, 07.11.2024 and the Petitioner candidly and honestly brought everything to the notice of the TTAADC, so that, the matter can be investigated to unearth the truth. But it appears, that, instead of taking any step for unearthing the truth and find out the persons, who were involved in making the recruitment process a shoddy one, the Petitioner has been punished by transferring the Petitioner from Mailuma Model JB School, under Inspector of Schools, Mandwi, TTAADC to Gobinda Bari SB School, under Inspector of School, Chawmanu TTAADC, by the impugned office order, dated, 18.12.2024.

Copy of the representation, dated, 18.11.2024, is annexed herewith and marked as **Annexure 9**

17. That, vide Office Order, dated, 17.05.2023, issued by the Principal Officer, Education, TTAADC, the Petitioner was transferred from Noabari H.S School under Inspector of School, Raiyabari, TTAADC, to Gira Chandra Para JB School, under Inspector of School, Gandatwisa, TTADC, In the said Office Order the name of the Petitioner appeared at SL. No 11. The Petitioner made representation for modification of the office order, dated, 17.05.2023, so far transfer of the Petitioner was concerned on the ground of disability of his younger son Alex Jamatia. In his representation the Petitioner stated, that, his son is a student of

Ferrando School for Speech and hearing, Agartala and if the Petitioner is required to join Gira Chandra Para JB School, Gandatwisa, education of his son will be disturb and care of his son will be also compromised. The Petitioner also stated, that, he is getting Rs 1000/- per month as allowance for having a disabled son. Stating so the Petitioner prayed for modifying the office order, dated, 17.05.2023, so far the Petitioner is concerned. The Respondents considered the representation of the Petitioner and office order, dated, 17.05.2023, so far the transfer of the Petitioner was concerned was not given effect to.

*Copy of the office order, dated, 17.05.2023 & copy of the representation, dated, 03.06.2023 are annexed herewith and marked as **Annexure 10 & 11.***

I have considered the above statements and I find that the impugned transfer order is the outcome of administrative exigencies, which considering the nature of the present case, does not call for any interference.

Accordingly, the present writ petition stands dismissed.

JUDGE



Rohit

SANJAY
GHOSH

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