

12 18.03.2025  
rkd Ct.18

W.P.A. 27046 of 2024

Shatabdi Das

-vs-

The State of West Bengal & Ors.

Mr. Shuvro P. Lahiri,  
Mr. Rajesh Naskar,  
Mr. Ankan Mondl

....for the petitioner.

Mr. Sabyasachi Mondal

....for the State.

Mr. Sunit Kumar Roy

....for the WBCSSC.

Affidavit-of-service filed on behalf of the  
petitioner is taken on record.

In spite of service of notice authority of  
Dwarin High School, Uttar Dinajpur being  
respondent nos.6 & 7 are not represented.

Petitioner made an application for transfer  
on general ground (distance) on portal on 9<sup>th</sup>  
August, 2021 and the same was not forwarded by  
the school authority to the concerned District  
Inspector of Schools (SE), Uttar Dinajpur for taking  
further steps for transfer of the petitioner.

It is contended on behalf of the petitioner  
that without assigning any reason school authority  
rejected the transfer application of the petitioner  
and in this regard reliance is placed on a

notification dated 21<sup>st</sup> December, 2021 wherein it has been provided in the event transfer application of a teacher is rejected authority is required to assign reasons.

Therefore, according to the petitioner since no reason has been assigned to reject the transfer application by the school authority direction may be given upon the school authority to forward the transfer application to the concerned District Inspector of Schools for taking steps.

Though in spite of service of notice school authority is not represented but District Inspector of Schools (SE), Uttar Dinajpur being respondent no.5 has made a communication dated 11<sup>th</sup> March, 2025 which is placed before this Court and taken on record.

From the said communication dated 11<sup>th</sup> March, 2025 it appears that previous application of the petitioner dated 6<sup>th</sup> December, 2021 could not be considered since petitioner did not come within the zone of consideration upon applying Rule 5(6) of the Transfer Rules of 2015 wherein it has been provided that the applicant teacher must come within 10% of the existing teaching staff of the school in terms of seniority and age. While processing the previous transfer application

petitioner did not come within the zone of consideration (10% of the existing teaching staff) in terms of seniority as a result whereof petitioner's application could not be considered.

In addition thereto, it also appears from the said communication dated 11<sup>th</sup> March, 2025 that at present there are twenty four teaching staff working in the school against roll strength of 2223 and Pupil Teacher Ratio is 93:1.

It is specifically provided under amended Rule 6(2)(c) of the notification dated 8<sup>th</sup> September, 2021 that roll strength of the school is a valid consideration in taking decision for transfer of the applicant teacher on the ground of distance.

In the present case, it is found that there are twenty four teachers working against 2223 students who are studying in the school. Therefore, Pupil Teacher Ratio and roll strength do not permit transfer of teacher on the ground of distance unless teaching strength is considerably augmented by appointment of new teachers.

Hence, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned

Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**