

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 169 OF 2020

DURLAV MUKHERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Sri Durlav Mukherjee,
and (Appears in person)
Date of For the State Respondents : Mr. Gautam Pathak Banerjee,
order Learned Advocate

16
17.06.2025

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.

The prayer in this application is for a direction to the respondent authorities to give promotion to the applicant to the post of Executive Engineer maintaining his seniority position in the Gradation List of Assistant Engineers.

The applicant joined the West Bengal Service of Engineers as an Assistant Engineer under the Irrigation and Waterways Directorate on 20.09.2006. He was confirmed to the post of Assistant Engineer (Civil) with effect from 01.07.2010. Appearing in person, the applicant submitted that six juniors, named below in the Gradation List, had been promoted to the post of Executive Engineer by superseding the applicant. All the Self Appraisal Reports (SARs) and year-wise Asset Statements had been submitted by the applicant to the respondents within the time limit excepting the SAR for the year 2018-2019, which could not be furnished due to online submission for various reasons including "*applicant tried to do self Appraisal but it was Late IFMS (cannot process hierarchy request after last date of SAR submit Last date 22-07-2019). This fact was intimated to the Joint Secretary I & W Deptt. (Through Proper Channel) on 13.08.2019*". The applicant submitted his representation on 01.02.2020 to the Secretary, Irrigation and Waterways Department, which was not considered. Being aggrieved by such inaction on the part of the respondent authority, he approached this Tribunal.

Learned counsel, appearing on behalf of the respondents, submitted that the applicant had failed to submit his Self-Appraisal Report (SAR) for the period 2017-18 till now. The Departmental Promotion Committee (DPC) of Irrigation and Waterways Department viewed that the applicant's SARs since 2017-2018 were not in the possession

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of the Department for which the authorities could not consider promotion of the applicant to the post of Executive Engineer though the applicant's name was within the zone of consideration.

Having heard the applicant in person, and the learned counsel for the respondents and on examination of the records, the Tribunal comes to the conclusion that submission of SAR and Asset Statements are essential pre-requisites for giving promotion to a Group 'A' government employee. After introduction of online submission, it is mandatory for the applicant to submit the same as per Rules. The applicant, being a Group 'A' officer, it also requires consultation of Public Service Commission and completion of other formalities.

From the above findings, the Tribunal is satisfied that the respondent authorities were correct in taking the decision. No infirmities or biasness is found in giving promotion to the other persons as alleged by the applicant. Thus, finding no merit in the prayers, this application is disposed of without passing any orders.

SCN.

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

WEST BENGAL ADMINISTRATIVE TRIBUNAL