



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI
O.A. No. 100/899/2020**

This the 17th day of July, 2020

**HON'BLE MR. JUSTICE L.NARASIMHA REDDY, CHAIRMAN
HON'BLE MR.MOHD.JAMSHED, ADMINISTRATIVE MEMBER**

1. Praveen
S/o Shri Rambhagat Jangra

Aged about 30 years

R/o 121, Rehayashi Apartments, Pocket-7

Sector-12, Delhi – 110 078
2. Vikrant Singh Dhillon
S/o Shri Sajjan Singh Dhillon

Aged about 27 years

R/o 1104, Block 18, Heritage City

Gurgaon – 122 001
3. Mukesh Kumar
S/o Shri Yogendra Prasad

Aged about 30 years

Presently residing at Room No. S-509

M.S.Flats, Nivedita Kunj, R.K.Puram

Sector-10, New Delhi – 110 022
4. Som Vrat Tripathi
S/o Sh.Gyan Prakash Tripathi

Aged about 28 years

R/o J-1303, Aditya Celebrity Homes

Sector – 76, Noida – 201 301
5. Pranay Garg
S/o Sh. Radhey Shyam Gupta

Aged about 30 years

R/o Flat No.402, Sunischit Apartments



G.H.96, Sector-54, Gurugram – 122 011

Jugal Kishore
S/o Sh. Pawan Kumar

Aged about 29 years

Presently residing at Room No.S-509

M.S.Flats, Nivedita Kunj, R.K.Puram

Sector-10, New Delhi – 110 022

7. Pranaya Piyusha Jena
S/o Sh. Arun Kumar Jena

Aged about 30 years

R/o N-35, N-Block, South City-I

Sector 40, Gurgaon-122 001

8. Reeturaj Pandey
S/o Sh. Daya Nand Pandey

Aged about 27 years

R/o 146, Katwaria Sarai

New Delhi – 110 016

9. Ms.Bhoomika Banga
D/o Sh.Subhash Banga

Aged about 28 years

R/o A-9, First Floor, Dayanand Colony

Lajpat Nagar-IV, Delhi – 110 024

10.Jitesh Shrivastava
S/o Sh.Satish Kumar Shrivastava

Aged about 35 years

R/o House No.302, Block 11

HUDCO Place, New Delhi – 110 049

11.Pratham Kumar
S/o Sh.K.K.Kailasa

Aged about 31 years



R/o First Floor, WZ-77

Gali No.7, Lajwanti Garden

Opp. Tihar Jail, New Delhi – 110 046

12.Dhanesh Kumar Singh
S/o Sh.Ratan Singh

Aged about 28 years

R/o House No.S—410, Nivedita Kunj

R.K.Puram, Sector 10, New Delhi – 110 022

13.Pawan Kumar Gupta
S/o Sh.Om Prakash Gupta

Aged about 30 years

R/o SB-301, Block 10 B

HUDCO Place Extension

Andrews Ganj, New Delhi – 110 049

14.Ms.Pooja Jain
D/o Sh.Subodh Kumar Jain

Aged about 28 years

R/o CM-76, Shahpura, Bhopal – 426 016

15.Uma Maheswara Rao Bhogi
S/o Sh.Suryanarayana

Aged about 39 years

R/o A-1, NRPC Colony

18-A, SJSS Marg, Katwaria Sarai

New Delhi – 110 016

16.Shubhender Singh
S/o Sh.Karam Singh

Aged about 28 years

R/o House No. S 204, Nivedita Kunj

R.K.Puram, Sector-10, New Delhi – 110 022



17.Karan Sareen
S/o Sh.Dharmendra Kumar Sareen
Aged about 29 years
R/o Nimboo Gher, Moti Bazar, Haridwar
Uttarakhand – 249 401
Presently at New Delhi

18.Prateek Srivastava
S/o Sh.Pradeep Kumar Srivastava
Aged about 28 years
R/o E-158, Sector 41, Noida-201 303

19. Vipul Kumar
S/o Sh.Rakesh Kumar Singh
Aged about 28 years
R/o 88 Guru Jambeshwar Nagar 'A'
Gandhi Path, Queens' Road,
Jaipur – 302 021

20.Prashant Bhamu
S/o Sh.Sultan Singh Bhamu
Aged about 27 years
R/o Flat No.203, Plot No.602
B Block Vasant Kunj Enclave
New Delhi – 110 070

21.Medari Santhekudlur Raghunath
S/o Sh.Medari Santhekedlur Tukaram
Aged about 27 years
R/o 5/495, Sambai Gaari Veedhi
Gandhi Road, Proddatur
Andhra Pradesh – 516 360



22. Kanhaiya Singh Kushwaha

S/o Sh. Kedar Singh Kushwaha

Aged about 28 years

R/o House No. S 605, Floor No.6

Nivedita Kunj, R.K.Puram

Sector – 10, New Delhi – 110 022

23. Ms.Rita Nagdeve

D/o Sh. Rajhans Nagdeve

Aged about 30 years

R/o Nimboo Gher, Moti Bazar

Haridwar, Uttarakhand – 249 401

Applicants

...

(By Advocate : Mr.Saqib)

Vs.

1. Union of India,
Through its Secretary

Ministry of Power, Govt. of India

Shram Shakti Bhawan, New Delhi – 110 001

2. The Chairperson
Central Electricity Authority

Ministry of Power, Govt. of India

Sewa Bhawan, R.K.Puram, Sector-1

New Delhi – 110 066

3. Union of India
Through its Secretary

Department of Personnel & Training

Ministry of Personnel, PG & Pensions

Govt. of India, North Block



New Delhi – 110 011

Union of India
Through its Secretary

Department of Public Enterprises

Ministry of Heavy Industries, Govt. of India

Block 14, CGO Complex, Lodhi Road

New Delhi – 110 003

5. Union Public Service Commission
Through its Secretary

Dholpur House, Shahjahan Road

New Delhi – 110 001

... Respondents

(By Advocate :G.S.Virk)

ORAL ORDER

{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}

The applicants are members of the Central Power Engineering Service (CPES) and are holding various positions in the Central Electricity Authority (CEA). The Ministry of Power issued Office Memorandum dated 14.02.2020 requiring the CEA, second respondent herein, to identify the suitable posts with different job responsibility, for implementation of the plan for field posting of CPES officers. This was in the light of the guidelines framed for field posting of the CPES officers. In the appended guidelines, the broad features of deputation and posting are furnished.



2. The applicants contend that the very policy and the guidelines framed by the respondents are contrary to law and, in particular, the relevant recruitment rules. They contend that the respondents are taking steps to post them to establishments and offices, which are totally outside their units of appointment. It is also their contention that the deputation and posting contemplated through the impugned policy would be contrary to the transfer policy which is already in force.

3. We heard Sh. Saqib, learned counsel for the applicant, Sh.G.S. Virk, learned counsel for respondent nos. 1 to 4 and Sh. R.V. Sinha, learned counsel for respondent no. 5, at the stage of admission, in detail.

4. What is challenged in the OA is the Office Memorandum dated 14.02.2020. It is very brief in its content and it reads as under:

“The undersigned is directed to enclose herewith a copy of guidelines approved by Secretary (P) for Field posting of Central Power Engineering Service Officers of Central Electricity Authority to the Central Public Sector Undertakings / DISCOMs.

2. Central Electricity Authority is requested to coordinate with the CPSUs/DISCOMs to identify suitable posts with defined job responsibility in the identified areas and draw up an implementation plan for field posting of CPES officers and forward it to Ministry by 20.02.2020 for obtaining necessary approval of Hon’ble Minister of State for Power (IC)”

5. The guidelines for field posting of the officers of CPES are also appended. Broadly stated, the effort is to ensure that the deputation is restricted to a particular period and the number of officers in any unit,



to be sent on deputation is also regulated. In other words, indiscriminate deputation is sought to be curbed.

6. The applicants apprehend that they may be posted to various units, contrary to the transfer policy and even, the recruitment rules. We are of the view that the applicants cannot challenge the policy or the guidelines framed by the Government of India. It is only when an officer is transferred and he is able to point out that such transfer or posting is contrary to any specific rule, that the occasion may arise to examine the legality thereof. As of now, the applicants do not have any specific grievance and it is only their apprehension. We do not find any basis to interfere with the impugned Office Memorandum. At the same time, we leave it open to the applicants to approach this Tribunal in case any transfer or posting is made contrary to their service conditions or existing policy.

7. The OA is accordingly dismissed with the above observation. There shall be no order as to costs.

(MOHD.JAMSHED)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

sd