

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 046/00105/2020

Date of Order: This, the 7th April 2021

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



Sri Raj Kumar
Son of Banola Prasad Gaur
Resident of SIB Office Complex
Near TCP Gate, Kohima
Nagaland – 7907001.

... Applicant

- Versus -

1. The Union of India
Represented by the Secretary
Government of India
Ministry of Home Affairs
North Block, Central Secretariat
New Delhi – 110001.
2. The Director
Intelligence Bureau
Ministry of Home Affairs
Government of India
New Delhi – 110001.
3. The Joint Director/E
Intelligence Bureau
Ministry of Home Affairs
Government of India
New Delhi – 110001.

O.A. No. 046/105/2020

4. The Joint Director
Subsidiary Intelligence Bureau
Kohima, Nagaland, Pin – 797001.
5. Sri Arvind Kumar
Joint Director
Subsidiary Intelligence Bureau
Kohima, Nagaland, Pin – 797001.

...Respondents.

For the Applicant : Sri U.K. Nair, Sr. counsel &
Ms. N. Shyamal
For the Respondents : Sri A. Kundu, Addl. CGSC



ORDER (ORAL)

MANJULA DAS, MEMBER (J):-

In this O.A., applicant is asking for the following reliefs:-

- “8.1 To direct the Respondent authorities to place in seal cover the copies of the Memorandum dated 26.09.2019, order dated 13.09.2019, Order dated 24.01.2020, order dated 17.03.2020 and order dated 23.03.2020.
- 8.2 To set aside and quash the impugned order dated 24.01.2020 in so far as it concerns the applicant.
- 8.3 To set aside and quash the posting order issued in respect of the applicant on 13.09.2019 to Civt. Meluri along with the consequential release orders dated 17.03.2020 and 23.03.2020.
- 8.4 To direct the respondent authorities to consider the case of the applicant for transfer in terms of his request as made

O.A. No. 046/105/2020

vide Annexure A/2 representation dated 30.09.2019.

8.5 To direct the Respondent authorities to allow the applicant to continue at Kohima till his prayer for transfer out of Nagaland is concerned in terms of prayer no. 8.4 above.

8.6 Cost of the application."



2. The respondent Nos. 1 to 4 submitted their written statement on 12th August 2020 and respondent No. 5 submitted his written statement on 04.03.2021. They have stated that there is no requirement of Assistant Central Officer/Grade-II in the UP set-up. Sri A. Kundu, learned Addl. CGSC appearing for respondent Nos. 1 to 4 by referring para 7 of the written statement submitted that one of the choice place of posting of the applicant was SIB, Dehradun, which is not under UP set-up but it is under Uttarakhand. The applicant was asked to submit 3 options of places other than UP set-up due to non-requirement of Assistant Central Officer/Grade-II at UP set-up.

3. In view of the above, with the consent of learned counsel on both sides, we dispose the O.A. and

O.A. No. 046/105/2020

direct the respondent authorities to consider the case of the applicant for posting him in any of the three options to be submitted by the applicant either in the post of Assistant Central Officer/Grade-II or equivalent, as and when vacancies arises, on top priority basis.

4. No order as to costs.



(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

O.A. No. 046/105/2020