

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order No.29, dated 2.4.2002.

None appears for the applicant.

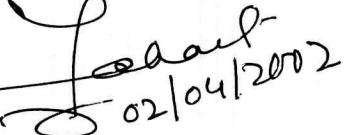
2. The applicant, a Chief Health Inspector(IC) Grade I, having faced a transfer from the office of Senior Divisional Medical Officer, South Eastern Railway, Khurda Road Division, to Bhubaneswar, to work in the same capacity as against a post of Health Inspector, has filed this O.A., raising a grievance that his posting as against the post of Health Inspector at Bhubaneswar amounts to downgrading him. A counter has been filed by the Railways wherein it has been explained that on such transfer from Khurda Road to Bhubaneswar, the applicant would not suffer financially as he has been asked to continue in the same scale of Rs.7450-11500/- and shall continue to work in the capacity of a Chief Health Inspector at Bhubaneswar. On a plain understanding of the case, it appears that the post of Health Inspector at Bhubaneswar has virtually been upgraded to that of a Chief Health Inspector because the applicant has been transferred in the same capacity with the same scale of pay. Therefore, it cannot be said that the applicant has faced a reversion or demotion from the rank of Chief Health Inspector to that of Health Inspector.

3. Once it is held that on transfer the applicant is not facing any demotion in rank, then the only remaining point is regarding transfer simplicitor. In the transfer order it has been clearly stated that it was an administrative decision. Transf



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being an incident of service and the authorities administratively having decided to transfer the applicant, this Tribunal is not to interfere in the matter. Having heard Mr.D.N.Misra for the Railways and on perusal of the pleadings, this O.A. is dismissed, but, however, without any order as to costs.


02/04/2002
(M.R. MOHANTY)

Copies or order

MEMBER (JUDICIAL)

may be sent to
the Council for
Settlement.

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