

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 24.01.2014

OA No. 251/2012

Mr. Surendra Singh, proxy counsel for
Mr. Man Singh Gupta, counsel for applicant.
Mr. V.K. Pareek, counsel for respondents.

Heard learned counsel for the parties.

O.A. is dismissed by a separate order on the separate
sheets for the reasons recorded therein.



(G. GEORGE PARACKEN)
JUDICIAL MEMBER

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 251/2012

DATE OF ORDER: 24.01.2014

CORAM

HON'BLE MR. G. GEORGE PARACKEN, JUDICIAL MEMBER

Keshav Dass Sharma S/o late Shri Ram Singh Ji, aged about 56 years, R/o Quarter No. 109/11, New Campus, Residential Complex, Rashtriya Military School, Dholpur.

...Applicant

Mr. Surendra Singh, proxy counsel for
Mr. Man Singh Gupta, counsel for applicant.

VERSUS

1. Union of India through its Secretary, Ministry of Defence, New Delhi.
2. Director General of Military Training MT-15, General Staff Branch, Integrated H.Q. of MOD (Army), New Delhi – 110 011.
3. Principal, Rashtriya Military School, Dholpur – 328028.
4. Sh. G. Viswanathan, Assistant Master, Rashtriya Military School, Dholpur – 328028 (Raj.).

...Respondents

Mr. V.K. Pareek, counsel for respondents.

ORDER

Heard learned counsel for the parties.

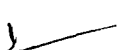
2. This Original Application has been filed by the applicant challenging impugned Annexure A/1 transfer order dated 24.02.2012, by which he has been transferred from Rashtriya Military School (RMS, for short) Dholpur to RMS, Bangalore.

3. According to the learned counsel for the applicant, the applicant being a Junior Division, NCC Staff Member, should not

have been transferred to RMS, Bangalore where there is no Junior Division, NCC activity. He has also pointed out that the Directorate General NCC, Ministry of Defence, West Block, R.K. Puram, New Delhi vide its letter No. F.152/8th/DGNCC/PERS(A) dated 03rd January, 1986 (Annexure A/5) has already informed the Secretaries of the Education Departments of the Government of India and Union Territories that transferring Part Time NCC Officers from one school to another without consulting the Directorate of NCC causes great inconvenience to the school. By the aforesaid letter, Director General NCC has also requested them that the posting of NCC Part Time Officers from one institution to another shall be carried out only after consulting the NCC Directorate.

4. The respondents have filed their reply. In their reply, they have stated that the applicant was transferred from RMS, Dholpur to RMS, Bangalore after completion of his 32 years of service whereas according to the transfer policy, the teachers serving for more than six years in a school shall be transferred out. They have also stated that in place of the applicant, one Shri Anees Ahmed Khan has been given the charge of the NCC so that there shall be no disturbance in the NCC activities in the school.

5. Learned counsel for the respondents has also submitted that the applicant has already joined in RMS, Bangalore, pursuant to the aforesaid impugned transfer order.



6. I have heard Shri Surendra Singh, learned proxy counsel for Mr. Man Singh Gupta, learned counsel for the applicant and Shri V.K. Pareek, learned counsel for the respondents. There is no dispute by the parties that the applicant has been transferred to RMS Bangalore as per the transfer policy. Moreover, the applicant has already joined to RMS, Bangalore and the respondents have made alternative arrangement for the activities of NCC in RMS Dholpur. I, therefore, do not find any merit in this Original Application and accordingly the same is dismissed. There shall be no order as to costs.


(G. GEORGE PARACKEN)
JUDICIAL MEMBER