

Central Administrative Tribunal Principal Bench

OA - 4013/2018
MA - 4471/2018

New Delhi, this the 23rd day of October, 2018

**Hon'ble Ms.Nita Chowdhury, Member(A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Dinesh Chandra Mishra
S/o Ex. Sri G.P.Mishra, age 54 years
R/o D-24, Harbhajan Enclave, Todapur
PO : IARI s.o., New Delhi – 12
Working as T-4 in National Bureau of Plant Genetic Resource
Pusa Campus, New Delhi-12
Mob: 9015514690, 9313206851
email : dcm55@rediffmail.com ...Applicant

(Applicant in person)

Versus

R1. Indian Council of Agriculture Research
Through Director General of ICAR and Secretary DARE
KrishiBhawan, New Delhi.

R2. Dy. Director General (Crop Science)
Indian Council of Agriculture Research
KrishiBhawan, New Delhi.

R3. Director, ICAR – National Bureau of Plant Genetic
Resources, Pusa Campus, New Delhi – 12
Fax No. 011-25842495 ; Tel. 011-25843697
Email : director.nbpgr@icar.gov.in

ORDER (ORAL)

Ms. Nita Chowdhury :

When the matter is taken up for admission, the applicant appeared in person and informed that he has been implicated in a case of Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013. It is his contention that the

order of transfer dated 26.09.2018, which has been passed during the pendency of inquiry, reads as under:-

“The competent Authority, ICAR – NBPGR has decided to transfer Shri D.C. Mishra, Senior Technical Asst. (T-4) from ICAR – NBPGR, HQ, New Delhi to ICAR – NBPGR, Issapur Farm, New Delhi in public interest till completion of the enquiry by Internal Complaints Committee. Accordingly, Shri D.C. Mishra is directed to report for duty to Dr. Vijay Singh Meena, Scientist & OIC, Issapur Farm immediately.

Shri D.C. Mishra is stand relieved from ICAR – NBPGR, HQ, New Delhi.”

2. A bare perusal of the above order shows that on receipt of complaint of sexual harassment, the respondents have decided to proceed against the applicant and in the interest of ensuring that the inquiry is not vitiated, they have shifted the applicant from his present place of posting, i.e. ICAR – NBPGR, HQ, New Delhi to ICAR – NBPGR, Issapur Farm, New Delhi in public interest till completion of the inquiry by the internal Complaints Committee. Quite clearly, the applicant has only been transferred from one place of posting to another within Delhi itself. Hence, we do not find any reason to interfere with this transfer order and the OA is dismissed being bereft of any merits. MA seeking interim relief also stands dismissed. No costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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