

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00175/2018

DATED THIS THE 26TH DAY OF APRIL, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Sri Amrit Paul, IPS,
S/o Sri Netram,
Aged about 51 years,
Inspector General of Police,
Central Range,
Bengaluru

...Applicant

(By Advocate M/s Balaji & Associates)

Vs.

1. The Chief Secretary,
State of Karnataka
Vidhana Soudha, Bangalore – 560 001

2. Under Secretary to Government
Department of Personnel and
Administrative Reforms (Services-4)

Vidhana Soudha, Bangalore – 560 001.

3. Director General and
Inspector General of Police
Karnataka State
Nrupathunga Road, Bangalore – 560 001

4. Sri B. Dayananda, IPS,
Inspector General of Police & Commissioner,
Transport & Road Safety, Bengaluru.

5. Election Commission of India
Nirvachan Sadan, Ashoka Road,
New Delhi – 110 001 ...Respondents

(By Shri. Mahantesh, State Government Standing Counsel, V.N. Holla, Senior Panel Counsel for Respondent No.2 & Shri V. Abhilash, Counsel for the Election Commission)

ORDER (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. This is a matter in which the Election Commission had issued the following letter which we quote below:

"I am directed to invite reference to the Commission's letter dated: 26-03-2018 cited above and to state that the reasons for transfer of the petitioner as sought by the Commission are not forthcoming. However, as verified it is found that, the transfer was effected by the Government

due to administrative reasons and in public interest.

The above facts are submitted for kind perusal and further orders.

Yours faithfully

*Sd/-
(S.N RAMAKRISHNA)
Assistant Chief Electoral Officer &
Ex-Officio Under Secretary to Govt.,
DPAR (Elections)."*

2. Therefore it apparently ensued that the transfer was effected in the normal course of administration and that too from one post in Bangalore to another post in Bangalore. The learned counsel for the applicant Ms Shilpa Rani would submit that the applicant had been transferred before the completion of one year in one post. There is no question of any Police Board or Civil Services Board as the Karnataka Government has not acceded to it and the tenure as such is not available to the applicant. There is no issue which can militate against this transfer. The OA is held to be not warranted

3. The OA is dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00175/2018

Annexure A1 Copy of the Movement Order dated 01.08.2017

Annexure A2 Copy of the Relieving Order dated 02.08.2017

Annexure A3 Copy of the Premature transfer order dated 25.01.2018

Annexure A4 Copy of the impugned order dated 09.03.2018

Annexure A5 Copy of the guidelines letter dated 17.01.2018

Annexures with reply statement

Annexure R1 Copy of Notification No. DPAR 64 Secy 2008 dated 15.05.2008

Annexure R2 Copy of CTC (Charge Transferring Certificate) dated 15.03.2018

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