

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/000528/2017

DATED THIS THE 06TH DAY OF JUNE, 2018

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

HON'BLE SHRI P.K. PRADHAN, MEMBER(A)

Sri K. Amarnath Ramakrishna,
S/o R. Krishnamurthy,
Aged about 43 years,
R/at #1/6, 6th Main,
J.C. Nagar, Opp S.N. Layout,
M.K. Puram, Bangalore – 560 086.
Working as Superintendent Archeologist,
Guwahati Circle, Gurahati.

...Applicant

(By Advocate Shri B.S. Venkatesh Kumar)

Vs.

1. Union of India,
Rep. by its Secretary,
Ministry of Culture,
#501, C-Wing, 5th Floor,
Shastri Bhavan,
New Delhi – 110 001.

2.The Director General,
Archaeological Survey of India,
Janpath, New Delhi – 110 001.

3.The Regional Director (South),
Archaeological Survey of India,
KSMIC Building,
Rajajinagar Industrial Estate,
Bangalore- 560 010.

4.Sri P.S. Sriram,
Deputy Superintending Archaeologist (SA I/C)
Archaeological Survey of India, EXCV-VI
KSMIC Building,
Rajajinagar Industrial Estate,
Bangalore- 560 010.

....Respondents.

(By Shri M. Rajakumar, Sr. Central Government Counsel)

O R D E R (ORAL)

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

Heard. The learned counsel for the respondents produces a letter No.F.No.22-3/2017-Adm.I dated 27.03.2018 issued by Government of India, Ministry of Culture, Archaeological Survey of India, which we quote below:

“With reference to your Mail/letter dated 21.03.2018 on the subject mentioned above, it has been decided with the approval of Competent Authority to issue the following instructions to the Government Counsel:

1. ASI is facing shortage of officers in the grade of Superintending Archaeologist. Out of 44 sanctioned posts, presently 15 posts are lying vacant. Due to non-availability of eligible officers for promotion, these vacancies are not likely to be filled up soon. Hence, some of the Circles which are smaller in size vis-a-vis the number of protected monuments have been laced under the charge of Deputy Superintending Archaeologists. Goa and Thrissur Circles are among them, which are presently under the charge of Dy. SAs.
2. ASI, Guwahati Circle is an important Circle catering to 4 of the North Eastern States where Shri Amarnath Ramakrishna is presently posted. He was posted to that Circle only one year back. It may be reiterated that his case for transfer out of Guwhati Circle will be considered on completion of the prescribed 2 years tenure as per the transfer policy.
3. The applicant, Shri Amarnath Ramakrishn, be advised to appreciate the administrative constraints and wait for his turn for transfer in accordance with the transfer policy.

Accordingly, CGSC may be requested to defend the case on behalf of Union of India and others under intimation to this office.”

2. He submits that the applicant has only 9 months to go at Guwahati and after he completes it, he will be given a posting of his choice, which he had given earlier itself.

3. We feel that this can be accepted. Any of the 3 places he had given, will be kept open for him. At the end of 9 months, he will be posted there without any other application in this regard.
4. The OA is disposed of as above. No order as to costs.

(P.K. PRADHAN)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER(J)

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Annexures referred to by the applicant in OA.No. 528/2017

Annexure-A1: Copy of the Transfer Policy dated 06.09.2016

Annexure-A2: Copy of the OM dated 27.01.2017

Annexure-A3: Copy of the Letter dated 20.02.2017

Annexure-A4: Copy of the letter dated 15.03.2017

Annexure-A5: Copy of letter dated 15.10.2013

Annexure-A6: Copy of the letter dated 08.01.2015

Annexure-A7: Copy of the letter dated 08.10.2015

Annexure-A8: Copy of Representation dated 02.02.2017

Annexure-A9: Copy of Office Order dated 24.03.2017.

Annexure-A10: Copy of Representation dated 25.03.2017

Annexure-A11: Copy of Office Order dated 21.04.2017

Annexure-A12: Copy of Representation dated 11.05.2017

Annexure-A13: Copy of the Court order dated 07.06.2017

Annexure-A14: Copy of impugned order dated 27.07.2017.

Annexures referred to by the Respondents in the Reply

Annexure-R1: Copy of Office Order dated 21.04.2017

Annexure-R2: Copy of Office Order dated 27.07.2017

Annexures referred to by the applicant in the Rejoinder

Annexure-A14: Copy of Office Order dated 08.12.2017.

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