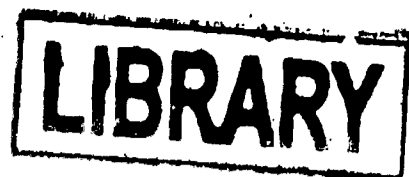


CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH, CALCUTTA



O.A. 350/00822/2016

Order dated: 21.06.2016

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

RAM LAKHAN RAM  
VS.  
CENTRAL SILK BOARD

For the Applicant : Mr. P.C. Das, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

ORDER (Oral)

Heard Ld. Counsels for both sides.

2. Scientist-C the applicant upon completion the tenure of 3 years at Kalimpong preferred a representation on 30.11.2015, to transfer him to the following places namely:

1. REC SUB-UNIT, BHADRASI, VARANASI (8214)
2. CTR&TI, RANCHI (4101)
3. REC, ROBERTSGANJ (4907)
4. REC-SUB UNIT, LUCKNOW (1180)
5. CERTIFICATION CENTRE, VARANASI (4101),

It has not been disposed of till date.

3. Ld. Counsel for the applicant submitted, inviting my attention to Annexure A11 that the several Scientists, in consideration of their prayers, have been transferred to their choice places whereas the applicant has not been considered. He has already completed 5 years as against a station tenure of 3 years.

4. As no adverse order is under challenge in the present the O.A. is disposed with a direction upon the respondents to allow the applicant to join his place of transfer and to pass an appropriate reasoned and speaking order, on the request made on 30.11.2015, indicating why the applicant shall not be entitled to consideration in terms of the transfer

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policy of Central Silk Board particularly in respect of paras 3.3(iii) and 3.4(ii) thereof since he has already completed a stay of 5 years as against a tenure of 3 years, at Kalimpong.

5. Ld. Counsel for the respondents at this juncture submitted that 3 years is the outer limit and he is retained at Kalimpong and not transferred.

6. I find that the applicant has been transferred from RSRS Kalimpong to P-3 Muga Silkworm Seed Organization CSB and the order indicates that it is a "transfer" therefore the contention supra is not true. Therefore inarguably and indubitably the transfer policy and its provisions at paras 3.3(iii) and 3.4(ii) ibid would apply to the applicant i.e. he would be entitled to be transferred out of Kalimpong and to places where he has exercised his choice for.

7. The respondents are therefore directed to dispose the representation as directed supra.

8. Let appropriate order be issued within 1 month.

9. For the time being if the applicant presents himself for joining he shall be allowed to join at place of transfer.

10. The O.A. would accordingly stand disposed of. No costs.

(Bidisha Banerjee)  
JM

dm