

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00268/2017

DATED THIS THE 10TH DAY OF SEPTEMBER, 2018

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

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

Dr. A. Manimaran,
S/o A. Ayyasamy,
Aged about 34 years
Working as Scientist (Sr. Scale)
Live Stock Research Centre,
National Diary Research Institute
Adugodi,
Bengaluru – 560 030Applicant

(By Advocate M/s Subbarao & Co.)

Vs.

1. Union of India
Rep. By its Secretary,
Ministry of Agriculture,
Krishi Bhavan,
New Delhi – 110 001

2. Indian Council of Agricultural
Research,
Rep. By its Director General,
Krishi Bhavan,
New Delhi – 110 001

3. The National Dairy
Research Institute,
Adugodi Post,
Bengaluru – 560 030

....Respondents

(By Shri V.N. Holla, Senior Panel Counsel for R1 and
Shri B.A. Chandrashekhar, Counsel for Respondent No.2&3)

O R D E R (ORAL)

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

Heard. MA No. 170/00200/2018 and 201/2018 are disposed off. The learned counsel for the respondents submits that now a cadre review is going on in the department and only after the cadre review they can decide the placement. But since the transfer and placement of the applicant is challenged, we will now hold that all the transfer orders are hereby quashed. But we will leave it open to the respondents to determine at a later stage whether the applicant or any others had to be transferred out keeping in view that there

cannot be empire building at any particular station. This they shall ensure. But since the cadre review is going on, we will hand over the matter back to the respondents to decide after the cadre review is over. But they should also remember that there should not be any mid-academic term transfer and there must be adequate notice to the transferee so that they can make alternative arrangements.

2. The OA is disposed off. No order as to costs.

(DINESH SHARMA)
MEMBER (A)

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

/ksk/

Annexures referred to by the applicant in OA No. 170/00268/2017

Annexure A1 Copy of the OM dated 12.06.2014

Annexure A2 Copy of the letter dated 31.03.2016

- Annexure A3 Copy of the letter dated 08.11.2016
- Annexure A4 Copy of the reply dated 22.11.2016
- Annexure A5 Copy of the Agenda Note
- Annexure A6 Copy of the e-mail dated 08.05.2017
- Annexure A7 Copy of the representation dated 11.05.2017
- Annexure A8 Copy of the certificate dated 21.11.2016
- Annexure A9 Copy of the recommendation letter dated 12.05.2017
- Annexure A10 Copy of the certificate for student guidance
- Annexure A11 Copy of the order of transfer issued to the applicant dated 20.05.2017
- Annexure A12 Copy of the student allotment letter dated 27.04.2017

Annexures with reply statement

- Annexure R1 Copy of the Rules and Bye-laws of the ICAR

Annexures with rejoinder

- Annexure A13 Copy of the letter issued by Respondent No.2 at attend the interaction session at NASC Complex, New Delhi

Annexures with reply to rejoinder

- Annexure R1 Copy of the ICAR proceedings dated 21.03.2017

Annexures with additional rejoinder

- Annexure A14 Copy of the document related to Veterinary Pharmacology post existence at NDRI

- Annexure A15 Copy of the office order dated 05.04.2010 and 13.04.2010

- Annexure A16 Copy of the Paroda committee recommendations

Annexure A17 Copy of the DoPT guidelines on posting of husband and wife at the same station

Annexure A18 Copy of the transfer policy for ARS scientists

Annexure A19 Copy of the list of incumbents coming under spouse category

Annexure A20 Copy of the recommendation for retention of application by Director DDG Animal Science

Annexure A21 Copy of the office order dated 04.05.2017 on list of retained scientists

Annexure A22 Copy of the documents for three veterinary pharmacology scientists working at various institutes

Annexure A23 Copy of the cadre strength of agricultural research scientists in ICAR-NDRI

Annexure A24 Copy of the scientist personnel working in NDRI

Annexure A25 Copy of the cadre strength of scientific staff at SRS, ICAR-NDRI as on May 2017

Annexure A26 Copy of the list of scientist received DO letter in NDRI

Annexure A27 Copy of the office order dated 17.09.2017

Annexures with MA 201/2018

Annexure A28 Copy of the information from ICAR Personal Management System regarding the applicant

Annexure A29 Copy of the information of applicant regarding his postings from the NDRI website

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