

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/01043/2018

DATED THIS THE 27TH DAY OF NOVEMBER, 2018

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

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

C.S. Kothandaram,  
Sr. Scientific Officer-I,  
ORDAQA(E), DGAQA,  
Ministry of Defence,  
C.V. Raman Nagar Post,  
Bengaluru – 560 093

S/o M.K. Sundaram  
R/at No. D-8/10,  
DRDO Township,  
Phase – I, C.V. Raman Nagar,  
Bengaluru - 93

....Applicant

(By Advocate Smt.MV.Thanuja)

vs.

1.The Union of India  
Represented by its Secretary  
Ministry of Defence  
South Block,  
New Delhi-110 001.

2.The Director General, AQA,  
Ministry of Defence  
H Block, Udyog Bhavan Post,  
New Delhi-110 011.

3.The Additional Director General,(SZ)  
DGAQA,PB.No.1782,  
Vimanapura Post,  
Bengaluru 560 017.

....Respondents.

(By Shri N.Amaresh ... Sr. Panel Counsel)

ORDER (ORAL)

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

1. Heard. The respondents had given reason as to why the applicant should be transferred. He says that he is a Care giver and therefore, eligible for protection under the DoPT circulars in this regard. He has a further case that others without the support of adequate reasoning and for reasons unsaid had been retained at Bangalore, even though, they have more seniority in station than the applicant. Therefore, we will remit the matter back to the Committee to look into it once again and pass an appropriate order after considering the effect of the guidelines and the DoPT circular on every one. We will grant him 2 more months' time to do so. For this period and for an extra one month period, applicant will remain as it is. He will be at liberty to challenge it, if orders are against him. But, then persons should be transferred out based on seniority in station coupled with functional convenience at the place of transfer and the place to which he is to be transferred. But, then it also must be remembered that all government servants must be transferred out after a period of time so that they should not be allowed to grow roots in a particular geographical location. Without adequate reasoning no one should be allowed to be retained at a place for more than 12 years as stated in the guidelines. This, the committee will keep in mind while

disposing off all these issues and all these matters be revisited within the said time.

2. Shri N.Amaresh, at this point makes a valid point that the applicant will point out who are the seniors, on which the Committee shall apply their mind. This, the applicant shall do so within next one week.

3. OA is disposed off as above. No order as to costs.

(DINESH SHARMA)  
MEMBER (A)

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

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Annexures referred to by the Applicants in OA No.170/01043/2018

- Annexure A1 : Copy of promotion as SSO-II dt.31.3.09
- Annexure A2 : Copy of the Reversion as SSO-II dt.30.3.13
- Annexure A3 : Copy of the promotion as SSO-I dt.23.6.14
- Annexure A4 : Copy of the deployment policy dt.31.10.16
- Annexure A5 : Copy of the RTP List dt. 2.11.17
- Annexure A6 : Copy of the request for retention with Appendix C
- Annexure A7 : Copy of the transfer order dated 04.04.2018
- Annexure A8 : Copy of the request for retention dated 11.04.2018
- Annexure A9 : Copy of order in OA.377/2018 dt.23.4.2018
- Annexure A10 : Copy of transfer order dt.10.7.2018
- Annexure A11 : Copy of the request letter for retention dt.18.7.2018
- Annexure A12 : Copy of office order dt.31.5.2018

Annexures referred to by the Applicants in rejoinder

- Annexure A13 : Copy of the list of officers not served in hard station
- Annexure A14 : Copy of the list of officers irrelevantly posted
- Annexure A15 : Copy of the list of officers accommodated in the same station