

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

Original Application No.021/0819/2019

Date of Order : 13.09.2019

Between :

Mr.N.Bhanu Murthy,
S/o N.Satyanarayana, Age : about 49,
Occ : Superintendent of Central Tax,
Himayat Nagar – I Range/Division,
Hyderabad.

... Applicant.

And

1. Union of India,
Rep. by its Chief Commissioner Customs & Central Tax,
Hyderabad Zone, Hyderabad.

2. The Principal Commissioner Central Tax,
Hyd GST Commissionerate,
& Cadre Control Authority (CCA),
Hyderabad.

... Respondents.

Counsel for the Applicant	...	Mr.K.Sudhakar Reddy, Advocate
Counsel for the Respondents	...	Mr.R.V.Mallikarjuna Rao, Sr.PC for CG

CORAM:

<i>Hon'ble Mr.B.V.Sudhakar</i>	<i>...</i>	<i>Member (Admn.)</i>
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ORAL ORDER

This OA is filed in regard to the transfer of the applicant from
Hyderabad to Visakhapatnam in the cadre of Superintendent of Central Excise.

2. Brief facts of the case are that the applicant was promoted as Superintendent of Central Excise and he assumed charge on 27.09.2018. Respondents issued Inter Zonal Transfer Policy – 2015 on 11.03.2015, which is valid for five years. Applicant belongs to the panel year 2007-08. As per para – (v) of Transfer Policy – 2015 , transfers from Hyderabad Zone to Visakhapatnam Zone will have to be effected by first moving the junior officers as per the seniority and also after those Superintendents who were promoted in the cadre restructuring (CR-2014). However, in violation of the said transfer policy, applicant was transferred vide impugned order dated 29.08.2019. Applicant represented on 15.02.2019 and 06.05.2019 and they are yet to be disposed of.

3. The contention of the applicant is that he was transferred out of Hyderabad city within 11 months of joining the post of Superintendent, Central Excise. Transfer is also against the norms laid down in the Inter Zonal Transfer Policy-2015. His seniority has also not been finalized. The officers are identified in respect of the seniority by considering the panel year in which they are placed. Applicant has represented on 15.02.2019 and 06.05.2019 to retain him at Hyderabad on grounds of education of his wards.

4. Heard Mr.K.Sudhakar Reddy, learned counsel for the applicant and Mrs.K.Rajitha representing Mr.R.V.Mallikarjuna Rao, learned Senior Panel Counsel for Central Government.

5. The applicant is working as Superintendent, Central Excise since August 2018. Respondents have issued the Inter Zonal Transfer Policy – 2015 which is valid upto 2020. As per the said policy, applicant contends that juniors to him have to be first transferred and also after those Superintendents who have been promoted under cadre restructuring. Applicant belongs to the panel year 2007-08. His grievance is that juniors and also those promoted under cadre restructuring have also been retained at Hyderabad whereas he was transferred, violating ITZ Policy – 2015. Aggrieved, he has made representations dated 15.02.2019 and 06.05.2019. Learned counsel for the applicant submitted that the respondents may be directed to dispose of the representations based on the Transfer Policy – 2015. In response, learned counsel for the respondents has submitted that the transfer has been effected in view of there being heavy shortage of Superintendents in Visakhapatnam Zone.

6. However, request of the applicant to dispose of his representations is fair and genuine. Respondents need to have disposed of the representations as per the relevant rules and regulations governing the transfers of Superintendents of Central Excise and as per the Transfer Policy of the respondents organization. In view of the above, respondents are directed to dispose of the representations of the applicant dated 15.02.2019 and 06.05.2019 made in regard to transfer, by issuing a speaking and reasoned order within a period of eight weeks from the

date of receipt of a copy of this order. Till the disposal of the representations of the applicant, he may be retained at Hyderabad, if he has not been relieved as on date.

7. O.A. is accordingly disposed of at the admission stage, with the concurrence of both the counsels. There shall be no order as to costs.

(B.V.SUDHAKAR)
MEMBER (ADMN.)

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