

CENTRAL ADMINISTRATIVE TRIBUNAL AHMEDABAD

Order Sheet

Item no.: 3

O.A./299/2022 (AHMEDABAD)

[TRANSFER POLICY]

Court No.: 1

No of Adjournment:

Order Dated: 05/08/2022

BRIJESH RAJARAM PRASAD KUMAR

Vs

EMPLOYEES PROVIDEND FUND ORGANISATION (EPFO)

For Applicant(s) Advocate : ALPHUS ROCKEY

For Respondent(s) Advocate :

Order of The Tribunal

Heard Shri Alphas Rockey, counsel for the applicant.

2. Considering the grounds stated in the MA No.284/2022 for Joint Application, the same is allowed. The applicant Nos.2 to 5 are allowed to join along with the applicant No.1 and to file OA jointly.

3. Counsel for the applicants submits that the applicants herein are Group-B Non-Gazetted serving as Section Supervisor and as per the condition prescribed at para No.11 of the Employees' Provident Fund (Officers & Employees's Conditions of Service) Regulation, 2008, their services are protected for posting outside the region. However, by way of introducing new Transfer Policy dated 14.6.2022, they are now subjected to be transferred outside the region. The representations/ objections raised by such employees at the time of draft Transfer Policy has not been considered and now vide order dated 21.7.2022 (Annexure A/5), they have been directed to give their option and deadline for it is fixed as 10.08.2022. It is apprehension of the applicants that once they adhered to the said direction and give their option, immediately, they will be subjected to be transferred to outside region.

4. Considering the submission of the counsel for the applicant and on perusal of the material on record, *prima facie*, the applicant has made out a case for grant of *ad-interim* relief. Hence, issue notice on the OA, returnable by 07.09.2022. In the meantime, by way of *ad interim* relief, the respondents are restrained from implementing the Transfer Policy dated 14.06.2022 (Annexure A/1) qua the applicants of this OA till the next date.

5. Direct service to the respondent No.5 is permitted.

A K Dubey
Member (A)

Jayesh V Bhairavia
Member (J)

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