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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.440 OF 2013

DISTRICT : THANE

Shri Chandrakant Balshiram Landge,)
Assistant Police Inspector, Crime Branch,)
Navi Mumbai)
Address for service of notice:)
Shri B.A. Bandiwadekar, Advocate,)
9, Ram-Kripa', Lt. Dilip Gupte Marg, Mahim,)
Mumbai 400 016)..Applicant

Versus

The Director General and Inspector General)
of Police, Maharashtra State,)
Old Council Hall, Shahid Bhagatsingh Marg,)
Mumbai 400 039)..Respondent

Shri A.V Bandiwadekar – Advocate for the Applicant
Shri D.B. Khaire – Chief Presenting Officer for the Respondent

D.O. IV

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D.O. IV

CORAM : Shri M. Ramesh Kumar, Member (A)
DATE : 4th March, 2014

JUDGMENT

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri D.B. Khaire, the learned Chief Presenting Officer for the Respondent.

2. This Original Application No.440 of 2013 is filed by Shri Chandrakant Balshiram Landge, seeking directions to the respondents to quash and set aside the order dated 29.5.2013 issued by the respondent by way of which the applicant was transferred from Navi Mumbai to Brihan Mumbai.

3. The impugned order states in its preamble as follows:

"शासन निर्णय, गृह विभाग, क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.३०/०७/२०१२ च्या शासन निर्णयान्वये पोलीस महासंचालकांचे संस्थगित केलेले अधिकार शासन निर्णय, गृह विभाग, क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.२२/०५/२०१३ आणि शासन अधिसूचना, गृह विभाग क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.२४/०५/२०१३ अन्वये शासनाने

पोलीस महासंचालक, म.रा. मुंबई यांना पुनर्प्रत्यायोजित (re-delegated) केले आहेत.

२. शासन निर्णय, गृह विभाग, क्र.एनपीसी-१००८/२/सीआर-६/पोल-३, दि.२५/०७/२००८ अन्वये दिलेल्या आदेशांस अनुसरुन या कार्यालयाचे आदेश क्र. DGP/1/51/SC order/Min/35/2008, दिनांक १८/५/२००९ अन्वये स्थापन केलेल्या राज्यस्तरीय पोलीस आस्थापना मंडळासमोर सहायक पोलीस निरीक्षकांची सार्वत्रिक बदल्या-२०१३ करिता बदलीविषयक प्रकरणे सादर करण्यात आली होती. सदर बदल्यांबाबतच्या प्रकरणांचा राज्यस्तरीय पोलीस आस्थापना मंडळाने काळजीपूर्वक विचार करुन आस्थापना मंडळाने दिलेल्या मान्यतेनुसार खालीलप्रमाणे सहायक पोलीस निरीक्षकांच्या प्रशासकीय कारणांस्तव / विनंतीनुसार बदल्या करण्यात येत आहेत :-"

Shri A.V. Bandiwadekar, the learned Advocate for the Applicant, pointed out that vide a letter dated 12.12.2011, he had requested for transfer from Nerul Police Station to Traffic Branch, Navi Mumbai. He also pointed out a part of the Navi Mumbai Police Patrak No.7 of 2012 dated 9.1.2012 wherein it is stated that:

"(१) खालील नमुद पोलीस अधिकारी यांनी बदलीसाठी केलेल्या विनंती अर्जाचा विचार सर्वसाधारण बदल्या २०१२ मध्ये घेण्यात येईल असे पोलीस आस्थापना मंडळाने ठरविले आहे."

The applicant's name appears at Sr. No.11. He further pointed out a part of Navi Mumbai Police Patrak No.212 of 2012 dated 11.10.2012, Part 3 of which states as follows:

"पोलीस आयुक्त, नवी मुंबई यांचे आस्थ्नापनेवरील खालील पोलीस अधिकारी यांना प्रशासकीय कारणास्तव त्यांच्या नावासमोर दर्शविल्याप्रमाणे तैनात करण्यात येत आहे."

The applicant's name appears at Sr. No.3. The said order "deployed" the applicant, posted at Nerul Police Station, to Crime Branch, Navi Mumbai.

4. Shri Bandiwadekar contended that "तैनात" is transfer and, therefore, the applicant cannot be transferred unless he has completed 3 years tenure thereat. According to him, though he was "deployed" at the Crime Branch, Navi Mumbai, he was posted at Panvel. Thus, he can be transferred only as per the provisions of Section 4(5) of The Maharashtra Government Servants Regulation of Transfers and Prevention of

ADMINISTRATIVE TRIBUNAL MUMBAI

Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as the 'Transfer Act'), which prescribes as follows:

> "(5) Notwithstanding anything contained in section 3 or this section, the competent authority may, in special cases, after recording reasons in writing and with the prior permission of the immediately preceding Competent Transferring Authority mentioned in the table of section 6, transfer a Government servant before completion of his tenure of post."

According to the applicant, since his transfer is before completion of tenure, it is illegal because no special reasons have been recorded and prior permission of the immediately preceding competent transferring authority has not been obtained. The applicant further referred to the Home Department GR No.NPC 1008/2/Pra.Kra.6/Pol-3 dated 25.7.2008 pertaining to the constitution of Police Establishment Board and contended that proposal regarding applicant's transfer was not placed before the said Board for approval.

5. The applicant has relied upon a GR No.TRN-0110/Pra.Kra.488/Pol-5 B dated 23.4.2010 pertaining to prior approval of the Establishment Board for effecting transfers of

Police Officers. Sr. No.8 of guidelines annexed to the said GR states as follows:

> "क्र.(८) "तात्पुरते संलग्न करणे" ही कार्यवाही देखील बदली अधिनियमानुसार बदलीच आहे. बदली अधिनियमामध्ये तात्पुरते संलग्न करणे अशी तरतूद नसल्याने कोणताही अधिकारी/कर्मचारी यांना तात्पुरते संलग्न करण्याचे आदेश काढून बदली करण्यात येवू नये. काही विशेष कारणामुळे या अधिकारी/कर्मचारी यांची तात्काळ बदली करणे आवश्यक असल्यास बदली अधिनियमातील तरतूदीनुसार असे प्रस्ताव लगत नंतरच्या वरिष्ठ प्राधिकाऱ्याच्या मान्यतेसाठी सादर करण्यात यावेत."

6. Shri Bandiwadekar also contended that though the notification declaring the competent authorities empowered as Heads of Departments to transfer PIs (Group A) and APIs (Group B) is shown to have been published on 24.5.2013, it has been actually published only on 29.5.2013 and on the day the impugned order was issued the applicant sought to contend that there was no published notification in existence. He further contended that on the basis of a reply to an RTI Act application (page 121 of the paper book of OA) that it was actually published on 30.5.2013.

7. The applicant also sought to rely on the order dated 1.3.2011 in OA No.1231 of 2010 and a few other OAs Shri R.P.

Jadhav & ors. Versus The Commissioner of Police, Thane, wherein it is stated in paragraph 7 as follows:

> "7. Without going into the merits of the case, it is necessary to decide the preliminary objections raised about the validity of the notification dated 30.4.2007, based on which the impugned orders have been issued. Section 7 of the Act prescribes that every department shall prepare and publish a list of the Head of the Department/Regional Head of the Department within their jurisdiction and notify the authorities competent to make transfers. Section 23 of the Bombay General Clauses Act, 1904, prescribes that where it is directed that any order, notification or other matter shall be notified or published, then such notification or publication shall, unless the enactment otherwise provides, be deemed to be duly made after it is published in the Official Gazette."

8. The order dated 3.1.2013 of this Tribunal in OA No.954 of 2012 was also sought to be relied upon wherein the issues as to whether a "temporary attachment is within the powers of the respondent and whether it amounts to transfer" were examined. It was held in paragraph 5 that, "The order of temporary attachment of the applicant has continued for more than 11 months without any time limit or specific reason. The

contention of the applicant that it amounts to transfer therefore has to be accepted."

9. The respondent, the Director General of Police, in his affidavit stated that the applicant is working in Nerul Police Station, Navi Mumbai from August, 2009. The notification dated 24.5.2013 has been published in the official gazette on 27.5.2013 (No.TRN.311/Pra.Kra.291/Punarbandhni/Pol-5B). Data on the APIs who have completed more than 3 years were sought vide a circular dated 26.12.2012. The Police Commissioner, Navi Mumbai sent the information as solicited, wherein the date of posting of the applicant was shown as 13.8.2009 at Nerul. The State Govt. vide its GR Home Department dated 25.7.2008 has constituted a Police Establishment Board in pursuance of the judgment of the Hon'ble Supreme Court of India, issued in the case of Prakash Singh & Ors. Writ Petition (Civil) No.810 of 1996 on 22.9.2006. Pursuant to the provisions of the aforesaid GR, the cases of the applicant along with a few others, were also placed before the State Police Establishment Board (SPEB) and the SPEB recommended that the applicant be transferred to Mumbai city and accordingly the applicant has been transferred to Mumbai City vide office order dated 29.5.2013 by the DGP, MS, Mumbai.

10. As regards the contention of the applicant that since he was deployed in Crime Branch, Navi Mumbai w.e.f. 12.10.2012, his tenure should have been counted 3 years therefrom, the respondent states that it is not tenable in view of the ratio laid down by the Hon'ble High Court in **SHRI RAMESH PANDURANG SHIVDAS VERSUS THE STATE OF MAHARASHTRA & OTHERS, WRIT PETITION NO.3301 OF 2010 DECIDED ON 11.10.2010.** Some of the observations therein are reproduced below:

> "8. .... The term "transfer" must have its limited meaning. The dictionary meaning of "transfer" shows that it is a posting from one place to another or a change from one station to another and it cannot be limited to a posting in the same department or in the same office or under the same Police Commissionerate Branch. Then term "posting" would indicate place of duty. In the instant case when the petitioner and respondent no.5 came to be transferred from Alibag and Ahmednagar respectively under the Police Commissionerate, Thane, the Commissioner of Police was competent enough to give them postings and these postings cannot be termed as transfers. The term "transfer" in general parlance would indicate change of station/headquarter/city or town. ..... The ambit of

the term "transfer" as defined under the Act, we are afraid, is likely to lead to a very dangerous situation and if literally interpreted, it is possible that a police officer may safely retire from Mumbai without going out of Mumbai at any time during his entire tenure."

The respondent also stated in his affidavit in reply that the Hon'ble High Court in the case of **RAJENDRA SHANKAR KALAL VERSUS THE STATE OF MAHARASHTRA & OTHERS, WRIT PETITION NO.8898 OF 2010 DECIDED ON 30.11.2010** observed in paragraphs 8 and 12 as under:

"8. ..... In Writ Petition No.3301 of 2010 decided on 11.10.2010, we have already held that such internal transfers within the same office or at the said Head Quarter should not be treated as transfers in the normal meaning and these are only internal postings for the convenience of the administration. What has been guaranteed to a Government officer under the Act is a minimum tenure at a particular station/head quarter."

12. ..... We reiterate that such an internal transfer cannot be termed as a transfer so as to raise a challenge before the Tribunal. It is only an internal posting within the very same office and in our

opinion, the Tribunal/Court should be slow in interfering in such orders."

11. The respondents, therefore, contended that deployment of the applicant to the Crime Branch was merely a administrative arrangement and the Headquarter of the applicant was not at all changed. His deployment to the Crime Branch, therefore, cannot be called a transfer in the light of the said ratio laid down by the Hon'ble High Court in Ramesh Pandurang Shivdas (supra) and Rajendra Shankar Kalal (supra).

12. As regards the apparent contradiction in two notifications and redundancy of one notification, the respondent has clarified the matter as follows in an additional affidavit:

> "It is submitted that the notification darted 29.3.2011 only deals with the Group B and C non gazetted Government employees and the same is still in force for Group B and C non gazetted employees and hence it does not vitiates the transfer order of the present applicant, which is issued by invoking the GR dated 22.5.2013, which was published in Govt.'s official gazette on 27.5.2013."

13. The respondents sought to rely on this Tribunal's order dated 12.7.2013 in OA No.231 of 2013 Shri Shivajirao Bapurao Shinde Versus DGP, MS, Mumbai & Anr. wherein it is stated that:

> "5. ..... It is correct that this Tribunal has held in many cases that the temporary attachment without any time limit amounts to transfer. However, in the present case, the Applicant was temporarily deployed on reasonable and sufficient ground. A police personnel can be temporarily deployed in emergent situation like law and order problem or security of important persons. It is not required that recourse to approvals under the Transfer Act is obtained every time before such temporary deployment for short periods in emergent situation is made.

Further, in the order dated 18.2.2013 of the Tribunal in OA No.1064 of 2012 filed by Shri Siraj M. Shaikh a Sr. P.I. of Antop Hill Police Station, his deployment in Main Control Room on Bandobast duty was not held to be transfer as the Headquarter has not been changed and he remained at Mumbai.

14. Keeping in view the various orders of the Hon'ble High Court and this Tribunal, deployment of the applicant in

period and he cannot claim by way of this deployment that he has been transferred, and therefore, he should get another 3 years from that date on the said post.

16. The contentions of the applicant referred in paragraph 6 regarding the publication of the notification, that though the notification dated 24.5.2013 was actually published on 30.5.2013 and, therefore, on the day i.e. 29.5.2013 the impugned order was issued, there was no published notification and, therefore, the impugned order was issued without authority, is not acceptable. The respondent has submitted a copy of the notification dated 24.5.2013, published in the extra ordinary gazette dated 27.5.2013. In any case, the reply to the RTI Act application refers to a document TRN-0311/Pra.Kra.291/Punarbandhini-7/Pol-5 and not Pol-5B as is printed in the notification.

17. Assuming without admitting, that the notification was published in the gazette on 30.5.2013 only, it is necessary to examine in this context whether such a publication in the gazette is mandatory. Section 7 of the Transfer Act only prescribes that "every department shall prepare and publish a list of the Head of the Departments/Regional Heads of the Department within their jurisdiction and notify the authorities competent to make transfers. It does not say anywhere that it should be published in the official gazette. The applicant has

relied upon the following statement in the Tribunal's order dated 1.3.2011 in OA No.1231 of 2010 & Ors. (supra):

> "7. ..... Section 23 of the Bombay General Clauses Act, 1904, prescribes that where it is directed that any order, notification or other matter shall be notified or published, then such notification or publication shall, unless the enactment otherwise provides, be deemed to be duly made after it is published in the Official Gazette."

This position is admitted. But the converse is not necessarily true. If it is published in the official gazette, such a notification shall be deemed to be duly made. It does not mean, however, that publication in the gazette is a mandatory requirement and if it is not published therein it will be invalid. If it is published in the gazette, the requirement of publication is satisfied. It does not debar or exclude other forms of publication, if permissible. If it is published in the gazette, there is no need of any additional or other forms of publication. Conversely, if other forms of publication are resorted to, publication in the gazette also is, not mandatory. It may not be appropriate, thus, to say that the notification was required to be published in the official gazette, without which it would be invalid.

18. There are many pronouncements of the Hon'ble Supreme Court and the High Court to this effect. It is undisputed that there must be a publication of statutory rules or orders. In **HARLA VERSUS STATE OF RAJASTHAN, AIR1951 SC 467: 1952 SCR 110: 1952 Cr.L.J. 54**, it was laid down that while publication is a must, mode of publication may vary. The judgment only laid down that "promulgation or publication of some reasonable sort is essential". To quote,

> "Natural justice requires that before a law can become operative it must be promulgated or published. It must be broadcast in some recognisable way so that all men may know what it is: or, at the very least, there must be some special rule or regulation or customary channel by or through which such knowledge can be acquired with the exercise of due and reasonable diligence. The thought that a decision reached in the secret recesses of a chamber to which the public have no access and to which even their accredited representatives have no access and of which they can normally know nothing, can nevertheless affect their lives, liberty and property by the mere passing of a resolution without anything more is abhorrent to civilised man. It shocks his conscience. In the absence therefore of any law, rule, regulation or

custom, we hold that a law, cannot come into being in this way. Promulgation or publication of some reasonable sort is essential."

This judgment, therefore, lays down only that "promulgation or publication of some reasonable sort is essential." "It must be broadcast in some recognizable way, so that all men know what it is." Further, it is also stated there must be some "customary channel" by which such knowledge can be acquired. Sending copies of the notification to all subordinate offices is publication of some reasonable sort, it is a customary channel and it is broadcast thus.

19. For "due publication" all that the subordinate law making body can or need do, would be to publish it in such a manner that the persons can, if they are interested, acquaint themselves with its contents. (**STATE OF MAHARASHTRA VERSUS M.H. GEORGE AIR 1965 SC 722**) Where mode of publication is prescribed by the statute, that mode has to be followed. Where the statute does not prescribe any mode it should be published in the usual form, for example, the official gazette.

It is pertinent to note that reference to official gazette, in the said judgment, is by way of an example and nowhere it is stated that publication therein is mandatory,

without which the purpose of the legislation will be totally defeated, especially keeping in view the fact that the disputed issue pertains to a notification, contents of which the stakeholders are quite familiar, either by custom or by its publication as part of the Act in the official gazette. There is no need of invention of the wheel in this case; the wheel has already been invented and known to persons concerned.

20. In **B.K. SRINIVASAN VERSUS STATE OF KARNATAKA, AIR 1987 SC 1059 : (1987) 1 SCC 658**, the Hon'ble Supreme Court observed as under:

> "It is, therefore, necessary that subordinate legislation, in order to take effect, must be published or promulgated in some suitable manner, whether such publication or promulgation is prescribed by the parent statute or not. It will then take effect from the date of such publication or promulgation. Where the parent statute prescribes the mode of publication or promulgation that mode must be followed. Where the parent statute is silent, but the subordinate legislation itself prescribes the manner of publication, such a mode of publication may be sufficient, if reasonable. If the subordinate legislation does not prescribe the mode of publication or if the subordinate legislation prescribes a plainly

> unreasonable mode of publication, it will take effect only when it is published through the customarily recognised official channels, namely, the Official Gazette or some other reasonable mode of publication."

The relevant part is "customarily recognized official channels, namely, the official gazette or some other reasonable mode of publication". If the statute requires publication in the official gazette, it is necessary to do so; if it is silent, it cannot be held that it is mandatory to do so.

Broadcasting the notification, thus, to all subordinate offices is a "customarily recognized channel" and it is a reasonable mode of publication. The stake holders have, thus, access and knowledge and the matter is no longer a "secret".

21. A clear statement of the law in this regard, was made by the Hon'ble Supreme Court in **COLLECTOR OF CENTRAL EXCISE VERSUS NEW TOBACCO CO., AIR 1998 SC 668**. Distinguishing **PANKAJ JAIN AGENCIES VERSUS UNION OF INDIA, AIR 1995 SC 360**, the Court held that a proper publication would mean a publication in such a manner that persons could, if they were so interested, acquaint themselves with its contents and if the publication was through a Gazette

mere printing of it in the Gazette would not be enough. The Court emphasized that unless the Gazette containing the notification is made available to the public, the notification cannot be said to have been duly published.

It can be seen, therefore, that even publication per se in the gazette would not fulfill the requirement; what is important is 'knowledge' or availability. The notification under discussion, does not concern the public at large, it concerns only a section of employees in a department of the Government, who in any case are familiar as to who are regional heads, department heads etc and their powers, by custom and by way of notification of the Transfer Act in the gazette. The said order dated 24.5.13 has been sent to all subordinate offices to ensure adequate circulation.

Though, it has been held that publication, to be effective must include the concept of "physical availability for perusal by affected citizens" (Union of India Vs. GTC Industrics Ltd. – 1991 (56) EWT 733), in **Pankaj Jain Agencies Vs. Union of India**, a two bench judgment rejected the argument that since the notification of the Customs Department increasing the (customs) duty was not available in Bombay it was not enforceable. Physical availability to a reasonable extent is more important that a simple publication in a gazette.

22. In **CHANDRAKANT SAKHARAM KARKHANIS VERSUS STATE OF MAHARASHTRA, AIR 1977 BOM 193 (FB)**, it was held that:

> "Since the power under the proviso to Art.309 is of legislative character and the rules framed thereunder are to affect Government employees in public services, it is absolutely essential that promulgation or publication of some reasonable sort of such rules would be essential and, although no particular mode of publication is prescribed either by the proviso to Art. 309 or by any other law on the subject, it is unquestionably necessary that there should be some publication in the sense that the rules so framed, whatever form they take (e.g. a letter, memorandum, circular, order or resolution) must be made known to all persons who are likely to be affected thereby or such persons must have access to such rules. In that sense promulgation or publication of rules is essential. There is no requirement that publication should be in a particular manner viz. by publication in the Official Gazette. It has been specifically held that non-publication in the Gazette does not by itself exclude the operation of Art. 309 and the requirement of publication is satisfied where copies of the rules were marked and forwarded to all offices

and Departments of the State. But public notification in some form is essential."

23. In **V. BALASUBRAMANIUM VERSUS TAMIL NADU HOUSING BOARD, 1988 (1) SLJ 90**, it was held that:

> "Although the rules or regulations have not been published in the Official Gazette as per the statutory requirement, the same will have legal efficacy as binding norms."

In **Vijay Singh Vs. State of UP, 2005 (6) SLR 378**, it was held that publication of Government orders relating to police service in the Official Gazette was not necessary.

These pronouncements of the Hon'ble Supreme Court and the High Court need to be taken due cognizance of.

24. In the whole argument to the effect that since the said notification has not been published in the official gazette, a legitimate transfer order issued by an authority is bad in law, is an underlying assumption, albeit wrong, that transfer is a only a weapon to harass employees. The authorities of the very same department must have issued hundreds of transfer orders and if all such orders are called into question or cancelled on this specious, technical ground, bonafide interests of hundreds

of employees will be jeopardized leading to a chaotic situation. As a matter of fact, if a transfer order is quashed on the ground that the notification empowering an authority for transfer is not published in the gazette, hundreds of transfer orders could become illegal and liable to be cancelled and resulting governance issues would be insurmountable. The issue has to be seen, therefore, in a logical and practical perspective too. Transfer is an important administrative tool and also a welfare measure. Transfer may inconvenience to some; but it benefits many and it is a cyclical periodic process which may involve inconvenience and convenience of various degrees by rotation. Thus such a specious ground, keeping in view various pronouncements of the Hon'ble Supreme Court, cannot be allowed to defeat the propose of the Transfer Act, which basically seeks to endow a security of tenure on deserving Government servants and deny the same to undeserving persons.

25. Therefore, keeping in view the judgments of the Hon'ble Supreme Court referred to above, it is evident that a publication of the notification in the official gazette is not mandatory, and lack of publication therein cannot render the notification, ineffective or bad in law as long as the matter does not remain a "secret" and the same is widely circulated. As the Hon'ble Supreme Court states, "some sort of reasonable publication" is necessary and the order dated 24.5.2013 has

been sent to all concerned subordinate offices. The stakeholders are aware of the provisions thereof by custom, common usage and knowledge and the publication of the statute in the official gazette which specifies the authorities competent to effect transfers. The said order has been circulated to all subordinate offices, by way of which adequate circulation, publication and broadcasting have been ensured. The ratio laid down in the judgment in Para 22 supra is indeed emphatic and unambiguous regarding the so called requirement of publication in the official gazette. The said judgments obviously have not been considered by this Tribunal in the past or brought to its notice.

26. The requisite notification under Section 7 of the Transfer Act has been published in the gazette on 27.5.2013. The matter of requirement of publication in the gazette has been discussed at length to drive home the point that as long as a reasonable or wide circulation has been ensured, only on the ground that it is not published in the gazette, it will not be invalidated, as is made abundantly clear in the various judgments of the Hon'ble Supreme Court. The applicant's deployment in Navi Mumbai, Crime Branch from 12.10.2012 cannot be treated as transfer and he is not entitled to a further tenure of 3 years from that date. The impugned transfer order dated 29.5.2013 has been issued by the competent authority and there is no violation of any of the provisions of the Transfer

Act. The approval of the Establishment Board for the said transfer, has been taken. The impugned order dated 29.5.2013 clearly states as follows:

> "शासन निर्णय, गृह विभाग, क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.३०/०७/२०१२ च्या शासन निर्णयान्वये पोलीस महासंचालकांचे संस्थगित केलेले अधिकार शासन निर्णय, गृह विभाग, क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.२२/०५/२०१३ आणि शासन अधिसूचना, गृह विभाग क्र.टीआरएन-०३११/प्र.क्र.२९१/पुनर्बांधणी-७/पोल-५ब, दि.२४/०५/२०१३ अन्वये शासनाने पोलीस महासंचालक, म.रा. मुंबई यांना पुनर्प्रत्यायोजित (re-delegated) केले आहेत.
>
> २. शासन निर्णय, गृह विभाग, क्र.एनपीसी-१००८/२/सीआर-६/पोल-३, दि.२५/०७/२००८ अन्वये दिलेल्या आदेशांस अनुसरुन या कार्यालयाचे आदेश क्र. DGP/1/51/SC order/Min/35/2008, दिनांक १८/५/२००९ अन्वये स्थापन केलेल्या राज्यस्तरीय पोलीस आस्थापना मंडळासमोर सहायक पोलीस निरीक्षकांची सार्वत्रिक बदल्या-२०१३ करिता बदलीविषयक प्रकरणे सादर करण्यात आली होती. सदर बदल्यांबाबतच्या प्रकरणांचा राज्यस्तरीय पोलीस आस्थापना मंडळाने काळजीपूर्वक विचार करुन आस्थापना मंडळाने दिलेल्या मान्यतेनुसार खालीलप्रमाणे सहायक

पोलीस निरीक्षकांच्या प्रशासकीय कारणांस्तव / विनंतीनुसार बदल्या करण्यात येत आहेत :-"

The name of the applicant appears at Sr. No.31 of the said order.

27. In view thereof, the Original Application No.440 of 2013 is dismissed. Interim relief granted by order dated 5.6.2013 in terms of prayer clause 10(a) of the OA is hereby vacated. No order as to costs.

(M. Ramesh Kumar)
Member (A)
4.3.2014

Date : 4th March, 2014
Dictation taken by: S.G. Jawalkar.
E:\JAWALKAR\Judgements\2014\3 March 2014\OA.440.13.J.3.2014-CBLandge-Transfer.doc

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Research Officer
Maharashtra Administrative Tribunal
Mumbai