

Shram Shakti Bhawan, Rafi Marg
New Delhi, dated the 08.12.2015

OFFICE ORDER NO 33/2015

Consequent to the direction dated 19.03.2015 of the Hon'ble Central Administrative Tribunal, Mumbai in OA No 188/2015 filed by Shri R. B. Prasad, Assistant Labour Commissioner (Central), Mumbai wherein the Hon'ble Tribunal instructed that "The respondents are directed to take instructions whether the applicant can be accommodated on promotion in Mumbai or not...", the promotion -cum- posting order of Shri R.B. Prasad was withheld by the Ministry.

2. Subsequently, the matter was placed before the Competent Authority who decided that Shri R. B. Prasad may be retained and posted on promotion at Mumbai to the vacant post of DLWC(C), Naval Dockyard, Mumbai which was just became vacant after the transfer of Shri Chandra Deo, DLWC(C) from Naval Dockyard, Mumbai to DLWC(C), Ordnance Factory, Varagaon vide Ministry's Order No. 06/2015 dated 26.03.2015. The decision of the Ministry was communicated to the Hon'ble Tribunal as Shri Chandra Deo, DLWC(C) filed an OA No 218/2015 before Hon'ble Tribunal Mumbai to quash and set aside his transfer Order dated 26.03.2015. Meanwhile, the Hon'ble Tribunal, Mumbai vide order dated 09.10.2015 in the OA No. 218/2015 has quashed and set aside the transfer Order of Shri Chandra Deo issued by this Ministry's order dated 26.03.2015

3. In light of the judgment dated 09.10.2015 of the Hon'ble CAT, Mumbai in OA No. 218/2015 filed by Sh. Chandra Deo, DLWC (C) and instructions dated 19.03.2015 of the Hon'ble Tribunal in OA No 188/2015 filed by Shri R. B. Prasad, ALC (C), Mumbai, the matter of promotion-cum-posting of Shri R. B. Prasad, ALC (C), Mumbai was again placed before the competent authority who has approved the promotion of Shri R. B. Prasad to the Senior Time Scale of Central Labour Service on notional basis with effect from 25.03.2015 i.e. the date of promotion of his immediate junior, namely, Shri Manmohan Mishra and on the actual basis with effect from the date of assumption of the charge of the promotional post in STS Grade.

4. Subsequent to his promotion in the STS Grade, Shri R. B. Prasad, ALC (C), Mumbai is posted as **Deputy Welfare Commissioner(C), Mumbai** with immediate effect. The actual promotion will be effective from the date of assumption of charge of the promotional post.



5. The Office of the Dy. CLC (C), Mumbai is requested to relieve the Officer for enabling him to join his place of posting, immediately. The officer is directed to submit his joining report to this Ministry through the organisation of his posting within a period of 30 days from the date of issue of this order. In case Shri R B Prasad does not join the promotional post within a period of 30 days, it will be presumed that he is not interested in availing of the promotion to STS Grade and action will be taken against him as per extant government instructions.

6. This issues with the approval of the Competent Authority.



(S K Singh)

Under Secretary to the Government of India

Tel:-011-23766903

Distribution:-

1. Shri R. B. Prasad, Asst. Labour Commissioner(C), Mumbai.
2. The Chief Labour Commissioner(C), New Delhi.
3. The Dy. CLC(C), Mumbai.
4. PS to MOS(Independent Charge), L&E/PSO to Secretary(L&E)
5. DGLW/JS(DK)/DIR(SS)
6. Admn.I Section, O/o-CLC(C), New Delhi
7. CLS.II(Vig.) Section, Ministry of Labour & Employment, New Delhi
8. Personal file of the Officer concerned/Office Order bundle.