

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,**  
**JABALPUR, (M.P.)**

**NO. CGIT/LC/R/44/2025**

**Present: P.K.Srivastava**

**H.J.S..(Retd)**

1. Shri Rajeev Upadhyay,  
General Secretary, IBEU (AIBEA),  
MP Region Indian Bank Branch, Bhopal,  
Arera Colony, E/20, Arera Colony,  
Bhopal (M.P.)- 462016

Workman

Vs

1. The MD & CEO,  
INDIAN BANK, Corporate Office,  
254-260, Avval Shanmugam Salai,  
Royapettah, Chennai (TN)- 600014,
2. The Zonal Manager,  
INDIAN Bank,  
Zonal Office, Civil Lines, Jabalpur,  
Madhya Pradesh-482001

Management

**(JUDGMENT)**

**(Passed on this 16<sup>th</sup> day of December, 2025)**

As per letter dated 17/06/2025 by the Government of India, Ministry of Labour, New Delhi, the reference has been made to this Tribunal under Section-10 of Industrial Disputes Act, 1947 (in short the 'Act') as per Notification **No. J-7(12)/2025-ALC** dt. 17/06/2025. The dispute under reference relates to:

***"Whether the action of the Indian Bank management for not considering transfer request of the workman Shri Gopal Verma is correct and justified? If not, what relief the workman is entitled for?"***

After registering the case on the basis of reference, notices were issued to the parties. They appeared and filed their respective statement of claim in defense.

**The facts are almost undisputed**, the workman is a Ex-serviceman and is posted with the Bank as Clerk. He was selected under common recruitment and was posted as clerk under OBC-DISXS category vide order dated 13.07.2022. He joined his job in Indian Bank Zonal Office at Jabalpur. It is thereafter, he was transferred to Maneri Branch, where he is still working. The representation for transfer, filed by him with the management on 31.05.2023, on the ground that his father, who is at present residing at his ancestral place and is suffering from C4-C5(OPTD), D7-D8(PTD), C4-C5 Coorpectomy with D-7-D8(OPTD) Laminectomy & Decompression and is required continuous care and attention. Hence, in light of transfer policy of 2023-24, he be transferred to at any Station/Branch adjacent to the place where his father is residing, which may be anywhere at Gwalior, Kanpur and Etawah.

**Case of the workman** is further that there is provision in the Transfer Policy 2023-24 with respect to interstate transfer, the management has unjustifiably and arbitrarily refused his request.

**Case of management** is that he is not entitled to be considered for interstate transfer from Jabalpur M.P. to Kanpur or Etawah in U.P. In light of Clause 7 of the policy and also that in his appointment letter itself it is specifically mentioned that he has been allotted to Indian Bank for the State/Union Territory of M.P.

Photocopy documents with respect to Transfer Policy, Appointment Letter, and Representations have been filed by the parties, which are not disputed.

**I have heard arguments** of Learned Counsel Mr. Arun Patel for Workman and Learned Counsel Mr. Neeraj Kewat for Management. I have gone through the written submissions as well.

**On perusal** of record in light of rival argument the issue which comes up for determination is mainly that,

***Whether the applicant workman deserves to be considered for transfer in light of the Transfer Policy of 2023-24 or not?***

Clause 7 of the Policy is with respect to interstate transfer and is being reproduced as follows:-

***“For being eligible for consideration to transfer under “IST” category, the employee should have completed a minimum retention period of 3 years’ service in his present Cadre in that particular State from which he/she is seeking transfer.”***

Learned Counsel for the Bank submits that since the workman has not completed three years mandatory service in the State from which he is seeking transfer, hence, the Bank has rightly not granted his request. Learned Counsel for workman has referred to **Clause 10** of the Policy which is being reproduced as follows:

***“In respect of Ex-serviceman category, whenever the vacancy arises at the place of their choice, preference is given to ex-serviceman without insisting minimum retention period prescribed for the request transfers. This preference will be extended only at the time of registering their request first time.”***

**Learned counsel for workman submits that**, in light of Clause 10 of the Policy, the provisions of Clause 7 do not apply on the workman. I am in agreement with this argument of Learned Counsel for workman as Clause 10 of the Policy is subject to Clause 7 in the case of Ex-servicemen. Hence, refusal by the Bank to grant his prayer for transfer in his representation cannot be justified on this score.

**The second argument** from the Bank is that the workman has been appointed in the State of M.P. as it is mentioned in his appointment letter. Hence, he cannot be transferred outside of M.P. This argument also does not hold water because there is a provision for transfer in a Transfer Policy as mentioned above from one State to another State.

**The third argument** from management side is that there is no vacancy on the place at which the workman is seeking transfer but this is a simple argument, it is not supported by any affidavit or record, hence, this argument also fails, as it is not even pleaded by the Bank in their reply.

***Hence, on the basis of above discussion and findings, the action of management in not considering and not granting the prayer made by the workman in his representation dated 30.05.2023 is held***

***unjustified and arbitrary and the management is directed to consider his representation afresh in light of findings and observation made by this Tribunal and place him at any of the place as mentioned by him in his representation subject to availability of vacancy on the date of Award. This process be completed within 60 days from the date of sending of the Award to the Awardees.***

***No order as to cost.***

***The Reference stands answered accordingly.***

**DATE:- 16-12-2025**



**(P.K.SRIVASTAVA)  
PRESIDING OFFICER**