

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00424/2021

Wednesday, this the 1st day of September, 2021.

CORAM:

**HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Anil Kumar G., 54 years,
S/o. U. Gopinathan Nair,
Assistant Engineer, Doordarshan Kendra,
Thiruvananthapuram – 695 002.
Residing at T.C. 3/2068(1), Sudarsan, LNK-12,
Lakshmi Nagar, Pattom (P.O.),
Thiruvananthapuram – 695 004. - Applicant

[By Advocate : Mr. Vishnu S. Chempazhanthiyil]

Versus

1. The Deputy Director General (Engineering),
Doordarshan Kendra, Kudappanakunnu,
Thiruvananthapuram – 695 043.
2. The Additional Director General (E),
South Zone, All India Radio & Doordarshan,
Swami Sivananda Salai, Chennai – 600 005.
3. The Director (E-HR), Office of the Directorate General,
Doordarshan, Doordarshan Bhavan, Copernicus Marg,
New Delhi – 110 001.
4. The Director General,
Doordarshan Bhavan, Mondi House,
Copernicus Marg, New Delhi – 110 001.
5. Prasar Bharati (Broadcasting Corporation of India),
Through its Chief Executive Officer,
PTI Building, Sansad Marg, New Delhi – 110 011.
6. Union of India represented by the Secretary to the
Government of India, Ministry of Information and
Broadcasting, A-Wing, Sasthri Bhavan, 'A' Wing,
New Delhi – 110 001. - Respondents

[By Advocate : Mr. N. Anilkumar, SCGSC]

The application having been heard on 01.09.2021, the Tribunal on the same day delivered the following:

O R D E R**Per: Mr. P. Madhavan, Judicial Member**

The applicants filed this O.A seeking the following reliefs:-

“i. call for the records leading to the issue of Annexure A-2 and set aside Annexure A-2 to the extent applicant is transferred and posted to DDK Shantineketan (West Bengal)

ii. Direct the respondents to consider accommodating the applicant, in any of the difficult stations like DDK Imphal of DDK Srinagar or DDK Portblair or DDK Guwahati as indicated in Annexure A-7 and A-3.

Or in the alternative

iii. Direct the respondents to consider extending the benefit of Clause 12(d) of Annexure A-1 to the applicant by modifying the transfer of the applicant to any of the choice stations indicated by him in Annexure A-3/A-7 .

iv. Direct the respondents to extent the benefit of Annexure A-6 to the applicant and modify Annexure A-2 transfer order in the light of Annexure A-6.”

2. The applicant is an Assistant Engineer working in DDK Thiruvananthapuram. He is under orders of transfer vide Annexure A-2 to DDK Shantineketan (West Bengal). As against his transfer, the applicant has submitted a representation at Annexure A-3 requesting to accommodate him at difficult stations like DDK Imphal or DDK Srinagar or DDK Portblair. After the transfer order issued at Annexure A-2, the Prasar Bharati has issued fresh order on 14.07.2021 indicating that transfers are to be rationalised to curtail to avoidable expenditure and that transfer should be done only in exceptional 5 circumstances indicated therein (Annexure A-6). Aggrieved by this, the applicant filed the present O.A.

3. Mr. N. Anilkumar, learned SCGSC takes notice on behalf of the respondents.

4. Heard both sides. It appears that Annexure A-7 representation is still pending with the Competent Authority and also appears that fresh O.M (Annexure A-6) is also issued by the Department to avoid unnecessary transfers as part of economy measures.

5. Counsel for the applicant submits that the applicant will be satisfied if his representation is considered by the respondents in the light of Annexure A-6 and pass a speaking order.

6. In view of the above, the Competent Authority is directed to consider Annexure A-7 representation given by the applicant on the basis of relevant rules and regulations and on the basis of Annexure A-6 issued by the Department and pass a speaking order within a period of two months from the date of receipt of a copy of this order. It is also ordered that till the representation is disposed of, the applicant will be permitted to continue in the present station, if he is not relieved.

7. The O.A is disposed of at the admission stage. No order as to costs.

(Dated, 1st September, 2021.)

**(K.V. EAPEN)
ADMINISTRATIVE MEMBER**

**(P. MADHAVAN)
JUDICIAL MEMBER**

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Applicant's Annexures

Annexure A-1 - True copy of O.M No. A-10011/09/2021-PPC dated 26.03.2021 issued by the Prasar Bharati.

Annexure A-2 - True copy of the Office Order No. 05/2021-S-IV (E-HR) issued by the 3rd respondent dated 05.03.2021.

Annexure A-3 - True copy of the request dated 08.03.2021 submitted by the applicant to the 4th respondent.

Annexure A-4 - True copy of the medical records issued by the Department of Cardiology, Cosmopolitan Hospital, Trivandrum.

Annexure A-5 - True copy of the Office Order No. 8/2021-S-IV(E-HR) dated 27.08.2021 issued by the 3rd respondent.

Annexure A-6 - True copy of the order No. F. No. A-10011/NTP/2019-PPC dated 14.07.2021 issued by the Prasar Bharati.

Annexure A-7 - True copy of the request dated 30.08.2021 submitted by the applicant to the 4th respondent.

Annexures of Respondents

NIL
