

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 113/2011

Date of decision: 03.05.2011

Hon'ble Mr. Justice Syed Md Mahfooz Alam, Judicial Member.

Khemraj Parmar son of Shri Hajaji Parmar, aged about 51 years, resident of Village-Borkhed, Post- Obri, Tehsil Sagwara, Distt. Dungarpur, (Raj), at present employed on the post of Lineman at Simalwara, BSNL, Distt. Dungarpur under SDO Telegraphs Dungarpur .

: Applicant.

Rep. By Mr. A.K. Kaushik : Counsel for the applicant.

Versus

1. Bharat Sanchar Nigam Ltd., through its Chairman & Managing Director, Corporate Office, Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janpath, New Delhi-11001.
2. The Chief General Manager Telecommunication, Bharat Sanchar Nigam Ltd., (A Govt. of India Enterprises) Rajasthan Circle, Sardar Patel Marg, Jaipur-08
3. The General Manager Telecom District, BSNL, Banswara 327001.

: Respondents.

ORDER

Per Mr. Justice S.M.M. Alam, Judicial Member.

Heard Sh. A.K. Kaushik, learned Advocate appearing for the applicant. He submitted that this O.A. has not been filed for challenging any specific order of the respondents, but the same has

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been filed for issuance of direction to the respondents to consider the posting of the applicant to his choice place as per the transfer policy and the specific instructions contained in Annexure A/1 (BSNL Employees Transfer Policy) in this regard. He submitted that as per the clause IV of the said policy (Annexure A/1) the normal tenure of posting of an employee at difficult stations has been fixed for 2 years. He submitted that as per the letter dated 7.10.2001 of the respondent department (Annexure A/2), the posting of the staff in Sriganaganagar, Banswara, Barmer, Sirohi, Jaisalmer SSAs have been identified as difficult stations and for those places the tenure of posting has been fixed for 2 years. He further submitted that the applicant has already completed the tenure of 2 years posting at Simalwara in Dungarpur District which has been categorized as difficult station. The learned Advocate submitted that the applicant has already filed a representation before the Competent Authority for his transfer to choice place vide Annexure A/3, but the authority did not pass any order and the said representation is still pending with the authorities. The learned Advocate prayed that a direction be issued to the respondents to dispose of the representation of the applicant for choice posting and the applicant be posted at his choice place.

Sumit

Considering the submissions of the learned counsel for the applicant and after going through the contents of the O.A., I am of the

view that the purpose of filing of this O.A. will be served by issuing direction to the respondents to dispose of the representation of the applicant for transfer to his choice place as per the provisions contained in BSNL employees transfer policy dated 7.5.2008 (Annexure A/1).

Accordingly this O.A. is disposed of at the stage of admission with a direction to the respondents to consider the representation of the applicant for his transfer to his choice place of posting in the light of the provisions contained in BSNL Employees Transfer Policy dated 7.5.2008. The respondents are directed to pass reasoned order in this regard within a period of 3 months from the date of receipt/production of copy of this order.

S.M.M. Alam

[Justice S.M.M. Alam]
Judicial Member

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