

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.443 of 2012

Wednesday, this the 06th day of June, 2012

CORAM:

Hon'ble Ms.K.Noorjehan, Administrative Member

Smt Gracy Paulose
MES/109856
W/o.N.K Paulose, aged 45 years
Junior Engineer (Quantity Surveying &Contract)
Office of the Assistant Garrison Engineer (Independent)
Research & Development Military Engineer Service
Thrikkakara Post, Kakkanad, Kochi – 680 021
Residing at Nammanaril House
South Vazhakkulam, Aluva – 682 105 **Applicant**

(By Advocate – Mr.P.K Madhusoodhanan)

Vs

1. **Chief Engineer**
Headquarters, Southern Command
Pune – 411 001
2. **Assistant Garrison Engineer (Independent)**
Research & Development, Military Engineer Service
Thrikkakara Post, Kakkanad, Kochi – 680 021
3. **Garrison Engineer (Project)**
No.1, Vasco, Military Engineer Service,
Goa - 403 802
4. **Union of India, represented by the Secretary to**
Government of India, Ministry of Defence
New Delhi – 110 001

Respondents

(By advocate – Mr.Sunil Jacob Jose, SCGSC)

These applications having been heard on 06.6.2012, the
Tribunal on the same day delivered the following:

ORDER

By Hon'ble Ms. K.Noorjehan, Administrative Member -

When the case came up for consideration today, the counsel for the applicant pointed out that the order of this Tribunal in Annexure A-11 has not been followed in letter and spirit. The respondents have dismissed the claim of the applicant for the tenure stations like Ezhimala and Wellington on the ground that these tenure stations are not available to ladies for posting. As regards her remaining choice station of Coimbatore, it is stated that the applicant can request for a vacancy which was available only in the year 2011 when her transfer order was issued. Therefore, the applicant cannot claim for a posting against the vacancy which has arisen in 2012. The Government of India has issued instructions to avoid transferring women to hardship stations only with the objective of safeguarding their interests. However, there is a clause that in case the women request for a posting to such places it cannot be denied. Hence, the respondents cannot hold the guidelines given by Government of India in the interests of women to operate against them. The applicant has given three choice stations viz; Ezhimala, Wellington and Coimbatore. The applicant's counsel avers that vacancies are available at Ezhimala and Wellington. In my opinion the lady officers, if they are willing to go to hardship stations, cannot be denied a posting to such stations. Therefore, the respondents are directed to consider her request for Ezhimala or Wellington and issue suitable



revised posting orders forthwith. In any case, the applicant may be informed about the nature of action proposed by the respondents within a period of two weeks. Till then she will be allowed to continue in the present station. The Original Application is disposed of with the above direction. No cost.

(Dated this the 06th day of June, 2012)



(K. NOORJEHAN)
ADMINISTRATIVE MEMBER

SV