

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.466/04

Dated Friday this the 25th day of June, 2004.

C O R A M

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

Kumari R.Baby
D/o Rajamma
working as U.D.C.
Films Division
Ministry of Information and Broadcasting
Government of India
Ground Floor, B-Wing, CGO Complex
Poomkulam
Vellayani P.O.
Trivandrum.

Applicant

(By advocate Mr.K.R.Nandakumar)

Versus

1. Union of India represented by its
Secretary, Department of Post
Ministry of Information and
Broadcasting, New Delhi.
2. The Branch Manager
Films Division
Ministry of Information and
Broadcasting
Government of India
Ground Floor, B-Wing, CGO Complex
Poomkulam, Vellayani P.O.
Trivandrum.
3. The Chief Producer
Films Division
Ministry of Information and
Broadcasting
Government of India
24,Dr.G.Deshmuk Marg
Mumbai.
4. The Assistant Administrative Officer
Films Division
Ministry of Information and
Broadcasting
Government of India
24,Dr.G.Deshmuk Marg
Mumbai.

Respondents

(By advocate Mr.C.B.Sreekumar, ACGSC)

The application having been heard on 25th June, 2004 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant, an Upper Division Clerk in the Films Division, Ministry of Information & Broadcasting, has filed this application challenging A-1 order dated 4.3.04 by which she has been transferred from Trivandrum to Madurai. It is alleged in the application that ever since she joined the service, the members of the staff have been harassing and humiliating her on the ground of community, that she had made a complaint in the year 2001, that alleging that she had made false complaint against the members of the staff, she was proceeded against departmentally vide memo of charges (A-2) dated 22.3.2001, that the enquiry officer having submitted a report that she was guilty, she submitted A-4 apology, that again an enquiry was held against her in the year 2002, that thereafter she submitted A-5 unconditional apology that "she would behave well towards the members of the staff, that despite her best efforts to have harmony in the office, she was again subjected to harassment and that the impugned transfer order has been passed against her. With these allegations, the applicant seeks to set aside the impugned order A-1.

2. I have carefully gone through the application and have heard the learned counsel of the applicant and Mr.C.B.Sreekumar, the learned counsel of the respondents.

3. The learned counsel of the respondents submitted that the impugned order of transfer has been issued in public interest for smooth functioning of the office and therefore pleaded that the Tribunal may not interfere.

4. On a careful scrutiny of the material placed on record and on hearing the learned counsel on either side, I do not find any reason to admit this application. From what is averred in the application, it is evident that the applicant was not in a position to get on well with the staff members and no other members of the staff can be held responsible for the disharmony in the office. Twice complaints were made by her against the staff and in the departmental proceedings against her for making false complaints she admitted guilt and tendered apology. Under these circumstances, the Administration felt it necessary in public interest and for smooth functioning of the office to transfer the applicant. I am of the considered view that judicial intervention with such an action is not at all justified.

5. In the result, the application is rejected under Section 19 (3) of the Administrative Tribunals Act, 1985.

Dated 25th June, 2004.



A.V. HARIDASAN
VICE CHAIRMAN

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