

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.468/2002.

Wednesday this the 3rd day of July 2002.

CORAM:

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

K.Leelamma,
W/o R.K.Sasidharan,
Clerk Grade II, Malayalam Typist,
Press Information Bureau,
Thiruvananthapuram.

Applicant

(By Advocate Shri Vishnu S.Chempazhanthiyil)

Vs.

1. Director, Public Relations
Press Information Bureau,
Govenrment of India,
Thiruvananthapuram.
2. B.K.Vetri Selvan,
Information Officer,
Press Information Bureau,
Government of India,
Sastribhavan, Chennai.
3. Principal Information Officer,
Press Information Bureau,
Government of India, New Delhi-1.
4. Union of India, represented by its
Secretary, Ministry of Information and
Broadcasting, New Delhi.
5. Shri. T.J.Hezakiel,
Clerk Grade II,
Press Information Bureau,
Government of India,
Chennai-6.

Respondents

(By Advocate Shri N.Mahesh, ACGSC) (R.1-4)

The application having been heard on 3rd July, 2002
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

Smt.K.Leelamma, Clerk Grade II, (Malayalam Typist), Press
Information Bureau, Trivandrum is aggrieved by A-1 order dated
3.6.2002 transferring her from the office of the first respondent

2

in Trivandrum to the office of the 2nd respondent in Chennai. Her representation dated 13.6.2002 for transferring her back to Trivandrum has been considered but rejected as per A-3 letter stating however, that, her request would be considered after she was fully trained in the administrative as well as computer-related work in the regional office at Chennai. The applicant's further representation A-4 dated 27.6.2002 addressed to the 3rd respondent, Principal Information Officer, Press Information Bureau, is pending disposal. The applicant has not, in this application, imputed with evidence, any malafides against the administration or any authority competent to transfer her, nor has it been shown that the existing rules or regulations governing the transfer have been violated in any manner.

2. When the matter came up for admission, Shri Vishnu S.Chempazhanthiyil, learned counsel for the applicant, however, stated that one Shri T.J.Hezakiel, Clerk Grade II, PIB, Chennai who was transferred from Chennai office to Trivandrum in the applicant's place, by the same A-1 order has also made a representation (A2), seeking cancellation of his transfer order and retention at Chennai. Since only two individuals were involved in this transfer and since both wanted to be retained in their old places, the administration could have taken a helpful stand by retaining the applicant in Trivandrum, according to the learned counsel.

3. Shri Mahesh, Learned Additional Central Government Standing Counsel, takes notice for the respondents and invited my

attention to the impugned order A-3 wherein it has been stated that the applicant's case for re-transfer to Trivandrum would be considered after imparting necessary training in administrative and computer-related work at Chennai.

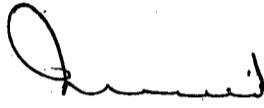
4. Learned counsel for the applicant at this stage would intervene and state that the transfer order did not mention anything about the alleged purpose for imparting training of any kind and further that she was already trained to an adequate level. In the circumstances, the applicant's retention would not cause any administrative problems since Shri Hazakiel, the transferee from Chennai to Trivandrum would also like to be retained at Chennai. Counsel for the applicant would state that, in any case, the representation addressed to the 3rd respondent highlighting her personal and family problems was yet to be disposed of. On a consideration of the relevant facts and circumstances of the case, I am of the view that there is no reason or scope for interference with the impugned administrative order of transfer. No specific circumstance of malafides is in evidence. No violation of existing rules is proved. However, having regard to the applicant's personal problems like, two young children studying in Trivandrum, her husband being in a non-transferable job at Trivandrum and husband's and her own health problems, I would consider it eminently desirable, if the administration considers the applicant's further representation (A4) with greater sympathy and a decision in that regard is taken at the earliest. The counsel on either side have no objection to such a course of action.

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5. I, therefore, dispose of the application by directing the respondents more particularly the 3rd respondent, to consider A-4 representation sympathetically and take appropriate action within a period of 30 days from the date of receipt of a copy of this order. Till such time the applicant may be retained at Trivandrum.

6. The application is disposed of as above. There is no order as to costs.

Dated the 3rd July 2002.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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APPENDIX

Applicant's Annexures:

1. A-1 : True copy of the order No.F2/41/2002.C dated 3.6.2002 of the 2nd respondent.
2. A-2 : True copy of the representation dated 17.6.2002 of the 5th respondent to the 2nd respondent.
3. A-3 : True copy of letter No.F.13/311/M/Per.(Vol.III) dated 24.6.2002 of the 2nd respondent.
4. A-4 : True copy of the representation dated 27.6.2002 to the 3rd respondent.
5. A-5 : True photocopy of the fee receipt Sl.No.1943 dated 19.6.2002

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