

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 528/99

Tuesday the 25th day of May 1999.

CORAM

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

K. Natarajan
S/o Kumarandi
Area Manager
Telecommunication
SBT Building, R.S.Road
Kasargod.

...Applicant.

(By advocate Ms Lekha Suresh)

Versus

1. Union of India, represented by
Secretary to Government
Ministry of Communication
New Delhi.
2. The Chairman
Telecom Commission & Secretary
Dept. of Telecommunication
415 Sanchar Bhavan
No.20, Ashoka Road
New Delhi.
3. Director (ST-II)
Telecommunication
415, Sanchar Bhavan
No.20, Ashoka Road
New Delhi.
4. Chief General Manager
Telecommunications
Kerala Circle, Trivandrum.
5. Chief General Manager
Telecommunications
Tamil Nadu Circle, 828 Anna Salai
Chennai-2

...Respondents.

(By advocate Mr K.Kesavan Kutty, ACGSC)

The application having been heard on 25th May 1999,
the Tribunal on the same day delivered the following:

O R D E R

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

The applicant, a member of the Indian Telecommunication Service (I.T.S. for short) belonging to Tuticorin in Tamil Nadu and to Scheduled Community is presently posted in Kasargod in Kerala. His grievance is that his repeated representations for a posting to a station of his choice are not being paid

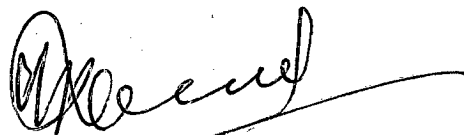
any attention. He brought the alleged injustice done to him to the notice of the National Commission for Scheduled Casts and Tribes which addressed the Chairman, Telecom Commission by letter dated 14.10.98 (Annexure A-7) requesting the Chairman to look into the harassment in the case of the applicant and to do justice to him at the earliest. Shortly after that, the applicant came to know that he was permitted to be transferred to Tamil Nadu Circle but to his dismay and agony, he received a copy of the A-9 order dated 15.2.99 in which it was stated that the order of his transfer stands cancelled. The applicant, aggrieved by this, has filed this application. It is alleged that many persons who were juniors to the applicant and who had not even completed their tenure postings outside the circle are still retained in Tamil Nadu and, therefore, there is no justification in not giving a transfer to the applicant to a station of his choice despite repeated representations. The applicant has therefore prayed for quashing A-9 order and a direction to the respondents to transfer the applicant to Tamil Nadu Circle to a station of his choice.

2. When the application came up for hearing on 29.4.99, learned Additional Central Government Standing Counsel Mr K. Kesavan Kutty sought two weeks' time to get instructions in the matter. However, when the case came up today, the learned counsel stated that he could not ^{get} the information. However, the counsel suggested that if the applicant would make a detailed representation to the second respondent, the same would be considered by the second respondent sympathetically and in the light of the instructions in regard to posting of members of the ^{SC &} S.T. Community and an appropriate reply given within a time stipulated by the Tribunal.

Learned counsel of the applicant also stated that the applicant would be satisfied if such a direction is given.

3. In the light of above submissions made by the counsel on either side, I dispose of this application allowing the applicant to make a detailed representation to the second respondent in regard to Annexure A-9 order, and with a direction to the second respondent that if such a representation is received, the same shall be considered sympathetically in the light of the instructions in regard to posting of officers belonging to SC/ST communities and other rules and instructions on the subject and to give the applicant an appropriate reply within a period of one month from the date of receipt of the representation. There is no order as to costs.

Dated 25th May 1999.



(A.V. HARIDASAN)
VICE CHAIRMAN

aa.

Annexures referred to in this order:

A-7, true copy of the order No.K-24/Tele-42/SC/98/SSW-III dated 14.10.98.

A-9, true copy of order No.314-1/98-STG-III dated 15.2.99.