

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 617 of 2012

Thursday, this the 28th day of February, 2013

CORAM:

Hon'ble Mr. Justice P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

P.V Priyadarshini, W/o.Sunil Kumar, aged 42 years,
 Lower Division Clerk, Office of the Assistant Engineer (Ele),
 Civil Construction Wing, All India Radio,
 Thiruvananthapuram, Residing at CC 5/677(2), Priyam
 Rajiv Nagar, Engineering College P.O,
 Thiruvananthapuram – 16.

..... **Applicant**

(By Advocate – Mr. R Sreeraj)

V e r s u s

1. Union of India, represented by its Secretary to the Government of India, Ministry of Information & Broadcasting, New Delhi – 110 001.
2. The Director General, All India Radio, New Delhi -110 001.
3. The Deputy Director General (South Zone) All India Radio, Chennai – 600 004.
4. The Executive Engineer (Ele), Civil Construction Wing All India Radio, Chennai – 600 004.
5. The Station Director, All India Radio, Thiruvananthapuram – 695 013.

..... **Respondents**

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

This application having been heard on 28.02.2013, the Tribunal on the same day delivered the following:

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ORDER

By Hon'ble Mr. Justice P.R. Raman, Judicial Member-

By Annexure A1 order the applicant was transferred to Trivandrum. Annexure A1 is dated 19.9.1996. In paragraph 2 it is mentioned that since this is a case of inter-zonal transfer and transfer on compassionate ground applicant will not be entitled to TA/DA, joining time and seniority. She has to join as a junior most LDC at Madras zone. When the applicant is transferred to Trivandrum how the applicant could join as junior most in Madras zone is not known. Earlier she approached this Tribunal by filing OA No. 281 of 2008 which was disposed of by directing her representation to be considered. Subsequently Annexure A9 order is passed disposing of the representation. It is stated therein that Kerala and Tamil Nadu are two different zones and as such a transfer to the Kerala zone is to be considered only on inter-zonal basis. As such applicant has to submit a proper application for transfer to Kerala zone with undertaking that she will forgo her seniority at Tamil Nadu zone. Applicant submits that she does not want any seniority in Tamil Nadu. This is recorded.

2. Since the applicant is transferred to Trivandrum normally the applicant could join Trivandrum as the junior most in 1996. Therefore, the question is as to whether the applicant can be given notional seniority in 1996 in Kerala zone without affecting the rights of anybody. This aspect in the matter is not considered by the respondents. Hence, we direct the respondent No. 2, i.e. the Director General, All India Radio, New Delhi to reconsider the matter in the light of what is stated above and dispose of the representation of the



applicant afresh. This may be done within a period of two months from the date of receipt of a copy of this order.

3. Original Application stands disposed of. No order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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