

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 89/99

Thursday the 18th day of March 1999.

CORAM

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

K.K.Sosamma
W/o M.A.Varghese
Upper Division Clerk
Passport Office
Trivandrum.
R/o Visakh Villa
T.C.49/503(10)
Manacaud P.O.Trivandrum.

...Applicant

(By advocate Mr M.R.Rajendran Nair)

Versus

1. The Passport Officer, Trivandrum.
 2. Union of India represented by Secretary to Govt. of India, Ministry of External Affairs, New Delhi.
- ...Respondents.

(By advocate Mr Govind K.Bharathan(R1)
Mr P.M.M.Najeeb Khan, (R2)

The application having been heard on 18th March 1999, the Tribunal on the same day delivered the following:

O R D E R

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

Applicant who is working as an Upper Division Clerk in the Passport Office, Trivandrum, is aggrieved that she is being compelled to perform security duty beyond the office hours which, according to her, is likely to result in danger of sexual harassment to her. She made a representation dated 23.10.98 to the Passport Officer, Trivandrum requesting that she may not be compelled to perform the security duty beyond the office hours but she was told that her other lady colleagues are also performing the same duty and she has to do the security duty only on her turn which is approximately once in 70 days. However, the applicant feels that security duty is not part of the duties she is bound to perform and doing so will not be in her interest also. Therefore, the applicant has filed this application for having the impugned A-1 order set aside and for a direction to the

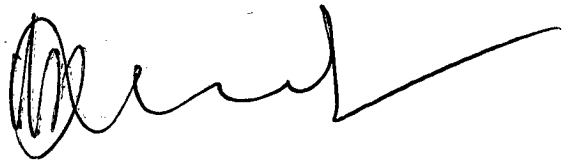
respondents to consider the request of the applicant for exemption from security duty prior and subsequent to the normal office hours and not to insist on her working in the office beyond normal working hours.

2. I have heard learned counsel of the applicant and learned Senior Central Government Standing Counsel for respondent No.1 and Shri P.M.M.Najeeb Khan appearing for respondent No.2. The counsel stated that it would be appropriate if the application is now disposed of directing the second respondent to take an appropriate decision on the representation Annexure A-4 within a reasonable time. Learned counsel of the applicant stated that the applicant may be allowed to make a supplementary representation which is not opposed to by the learned counsel for the respondents. Learned counsel of the applicant further stated that till a decision on the representation is taken and communicated to the applicant by the second respondent, the respondents may be directed not to insist on the applicant performing security duty beyond the office hours.

3. In the facts and circumstances emerging from the application and the submissions of the learned counsel and in terms of the request made by the counsel of the applicant, the application is disposed of allowing the applicant to make a supplementary representation to the second respondent within ten days and directing the second respondent to have the A-4 representation and supplementary representation that the applicant might make considered by the appropriate authority and to give the applicant a speaking order within

one month from the date of receipt of supplementary representation. I also direct that till a decision on the representation is taken and communicated to the applicant by the second respondent, the respondents shall not compel the applicant to perform security duty beyond her normal working hours.

Dated 18th March 1999.



(A.V. HARIDASAN)
VICE CHAIRMAN

List of Annexures referred to in the order.

Annexure A-4 representation dated 10.12.98, made by the applicant to the Joint Secretary (CPV), Ministry of External Affairs (CPV) Divn. Patiala House, New Delhi regarding appointment of complaint committee.

Annexure A-1, true copy of the order No.5(155)AD/TVM/98 dated 22.12.98 issued by 1st respondent.

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