

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.115/2001

Wednesday, this the 31st day of January, 2001.

CORAM:

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

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

1. All India Station Masters' Association,
(Regd. No.1359, New Delhi),
South Zone, Palghat Division,
represented by its Secretary,
Shri C.M.Radhakrishnan,
Station Master,
Southern Railway,
Erode.
2. P.L.Anto,
Station Master,
Southern Railway,
Irigur.
3. K.Prasad,
Station Master,
Southern Railway,
Lakkidi,
Ottappalam Taluk. - Applicant

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by
General Manager,
Southern Railway,
Headquarters Office,,
Park Town.P.O.
Madras-3.
2. The Divisional Railway Manager,
Southern Railway,
Palghat Division,
Palghat.
3. The Senior Divisional Operations Manager,
Southern Railway,
Palghat. - Respondents

By Advocate Mr Thomas Mathew Nellimoottil


The application having been heard on 31.1.2001, the Tribunal
on the same day delivered the following:

O R D E R

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

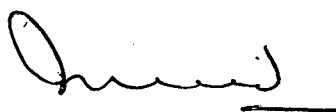
The first applicant is the All India Station Masters' Association, South Zone, Palghat Division represented by its Secretary and applicants 2 and 3, are members of the Association are Station Masters working at Irigur and Lakkidi respectively. The grievance of the applicants is that although the Railway Board had issued instructions on 17.6.96 that officials holding sensitive posts should be transferred on completion of period of 5 years, the Railway administration is not implementing that policy with the result, some of the Station Masters who are working in inconvenience stations are put to hardship while others working in convenient places are being favoured. The applicants, therefore, have filed this application seeking a direction to the respondents to strictly implement A-1 and A-2 and related instructions on the subject forthwith.

2. Having gone through the application and having heard the learned counsel for the applicant, we do not find any legitimate grievance of the applicant which calls for admission of this application and further deliberations. The policy contained in A-2 does not confer on the applicants any right. On the other hand, it imposes on the persons holding sensitive posts a liability of being transferred. There is no case for the applicants that any member of the first applicant's Association who has requested for a transfer, has not been transferred and a person who is junior in point of



time of registration has been transferred. It is upto to the Railway administration to effect transfers to suit the administrative requirements. It is not for the Union to say what is to be implemented and what is not to be. So long as there is no legitimate grievance, this Tribunal will not exercise jurisdiction. The application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated, the 31st of January, 2001.



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-1: True copy of Railway Board order No.RBE No.244/89 dated 27.9.89 as published by "Bahri Brothers" in the Book titled "Ministry of Railways" - Railway Board orders on Establishment - 1989.
2. A-2: Railway Board order No.E(NG)I/96/TR20 dated 17.6.96.