

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.190/2002

Friday this the 22nd day of March, 2002

CORAM

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

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

O.S.Premachandran S/o Sukumaran Nair
aged 41 years, Assistant B
Electronic Regional Test Laboratory,
(South), Diamond Hill,
Vellayambalam, Thiruvananthapuram
residing at House No.CRA 220
Melekunnil Geetha Bhavan,
Pongumoodu, Chenthi,
Medical College PO,
Thiruvananthapuram.

...Applicant

(By Advocate Mr. R.Sreeraj)

V.

1. Director,
Electronic Regional Test Laboratory
(South) Thiruvananthapuram.
2. Administrative Officer Gr.I,
Electronic Regional Test Laboratory,
(South) Thiruvananthapuram.
3. Deputy Director,
Ministry of Communications and Information
Technology, Department of Information
Technology, STQC Directorate,
New Delhi.
4. The Director General (STQC Directorate)
Ministry of Information Technology,
Government of India,
New Delhi.
5. Union of India represented by its
Secretary to Government of India,
Ministry of Information Technology
New Delhi.

...Respondents

(By Advocate Mr. **M.Rajeev**, ACGSC)

The application having been heard on 22.3.2002, the
Tribunal on the same day delivered the following:

Contd....

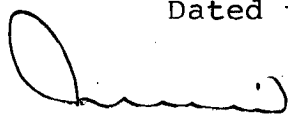
.2.
O R D E R

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

The applicant, Assistant 'B', Electronic Regional Test Laboratory (South), Trivandrum has been by order dated 15.3.2002 of the third respondent transferred with the post to ETDC, Goa with immediate effect and by order dated 19.3.2002 he has been relieved. Aggrieved by the transfer and relief, the applicant has filed this application. It is alleged in the application that there is only one post of Assistant 'B' in Trivandrum and compared to Goa, Trivandrum needs retention of the post. The applicant has also stated that since his wife is employed in Kollam, the transfer would result in great hardship to him. Therefore, the applicant seeks to set aside the impugned orders.

2. We have perused the application and the annexures appended thereto and have heard Shri R.Sreeraj, learned counsel of the applicant and Shri M.Rajeev, learned ACGSC appearing for the respondents. Shri Rajeev states that the transfer of the applicant has been made in public interest and to meet the administrative exigencies. From a reading of the application, it is seen that there is no allegation of malafides ^{or} ~~and~~ that any statutory rules or binding instructions has been violated. Transfer is an incident of service and in this ^{case} ~~it~~ has been made with immediate effect with the approval of the competent authority. We do not find any reason to interfere in the matter. Therefore, we reject this application under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 22nd day of March, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of the Office Order No.9 (2)/2001-PA-B(Vol.II) dated 15.3.2002 issued by the 3rd respondent.
2. A-2: True copy of the Office Order No.10(3)/99-Admn. dated 19.3.2002 issued by the 2nd respondent.
3. A-3: True copy of the Office Order No.6(1)/2001-Admn dated 8.1.2002 issued by the 2nd respondent.
4. A-4: True copy of the representation dated 11.1.2002 submitted by the applicant to the 4th respondent.

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