

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.249/2007

Friday the 13th day of April, 2007

CORAM:

HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

A.Rameshkumar

Mechanic (Ice Plant),

Integrated Fisheries Project, Cochin - 682 016.

Residing at IFP Staff Quarters,

Block-II, B-12, St.Francis Church Road,

Pulleppady, Cochin -682 018.

... Applicant

By Advocate Mr.T.C.G.Swamy

V/s.

1 Union of India represented by
The Secretary to the
Government of India,
Ministry of Agriculture,
Dept. of Animal Husbandry & Dairying,
New Delhi.

2 The Director-in-charge,
Office of the Director,
Integrated Fisheries Project,
Cochin - 682 016.

3 Smt.S.Girija
Director-in-Charge,
Office of the Director,
Integrated Fisheries Project,
Cochin - 682 016.

... Respondents

By Advocate Mrs.Aysha Youseff, ACGSC

This Original Application having been heard on 13th April, 2007, the Tribunal delivered the following:-

ORDER

Hon'ble Mr.George Paracken, Judicial Member

The applicant is a Mechanic (Ice Plant), working in the scale of Rs.3050-4590 in Integrated Fisheries Project, Cochin. He is aggrieved by Annexure A-1 order dated 11/4/2007, according to which one post of Mechanic (Ice Plant) (GCS Group C Non Gazetted Non Ministerial) in the scale of Rs.4000-100-6000 operated at Headquarters of IFP at Cochin has been transferred to the Integrated Fisheries Project, Vizag Unit,

Visakhapatnam with effect from 11/4/2007. Consequently, the applicant being one of the Mechanics (Ice Plant) was transferred to Visakhapatnam Unit and he was directed to hand over the equipments, tools and all materials in his custody to another Mechanic (Ice Plant) Mr.K.P.Ramesh. The said order also says that the applicant will stand relieved from IFP Cochin Plant from 13/4/2007 (AVN).

2 The applicant has challenged the transfer order on the main ground that the post of Mechanics (Ice Plant) which is to be transferred to Vizag Unit is in the scale of Rs.4000-100-6000 whereas he is working in the lower scale of Rs.3050-4590. According to him, only one of the Mechanics (Ice Plant) in the scale of Rs.4000-100-6000 could have been transferred. He has also raised other issues but they are not necessary to be gone into at this stage.

3 Since the impugned Annexure A-1 order transferring the applicant is not according to routine general transfers, it would be in the interest of justice to give the applicant an opportunity to make representation against it, if it has been issued in violation of any rules/instructions. Accordingly, I grant liberty to the applicant to submit a representation to the 1st respondent within a week's time from the date of receipt of this order, who may consider the same in accordance with the extant rules/instructions, within a period of one month thereafter and dispose it of by passing^a reasoned and speaking order. Till such time, the Annexure A-1 impugned transfer order dated 11/4/2007 shall not be given effect to.

4 OA is disposed of with the above directions. There shall be no orders as to cost. Copy of the order be given to both the counsel today itself.


GEORGE PARACKEN
JUDICIAL MEMBER