

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO.289 OF 2008

Wednesday, this the 24th day of September, 2008.

CORAM:

HON'BLE Dr. K.S.SUGATHAN, ADMINISTRATIVE MEMBER

O.P.Haridasan
Junior Stenographer
Directorate of Arecanut and Spices Development
West Hill, Calicut
Permanent Resi: Kokkath House, P.O Cherukode
Via Vallapuzha, Palakkad

Applicant

(By Advocate Mr. U.Balagangadharan)

v.

1. The Director
Directorate of Arecanut and Spices Development
West Hill (PO)
Calicut - 673 005
 2. The Deputy Director
Directorate of Arecanut and Spices Development
West Hill (PO)
Calicut - 673 005
 3. Mr.M.Tamil Selvan
Directorate of Arecanut and Spices Development
West Hill (PO)
Calicut - 673 005
- Respondents

(By Advocate Mrs. Mini R Menon, ACGSC)

The application having been heard on 24.09.2008, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Dr. K.S.SUGATHAN, ADMINISTRATIVE MEMBER

This OA is filed by the applicant, a Junior Stenographer , challenging Annexure A-4 Office Order by which he was posted vice Shri K.P.Peter who was a Marketing Assistant. It was also stated in the said order that the applicant will attend the stenography and typing work also.

When the OA was taken up on 20.06.08, counsel for respondents submitted that only clerical work is being given to the applicant and it is a stop-gap arrangement.

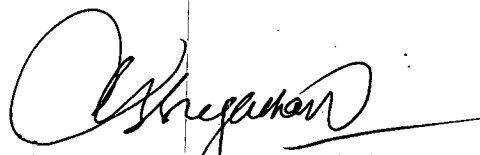
2. In the reply statement filed by the respondents, it has been stated that there are only two senior level officers for whom stenographic assistance is required, but there are three stenographers. The applicant was appointed on compassionate grounds and came on transfer from, the Ministry of Water Resources. The Annexure A-4 order is issued for the purpose of optimum utilisation of the man power. The applicant is posted in Publicity Division only for providing secretarial assistance. Several staff members have been deputed for Pepper survey work, which is a task undertaken by the organisation to assess the crop situation. Staff ranging from LDC to Deputy Director including lady staff members of the office are deputed for the survey work. Nobody has expressed inability to work. The applicant was also similarly deputed for the survey work on rotation. When the applicant reported about his mother's illness, he was exempted from the survey work.

3. I have heard Mr.U.Balagangadharan, learned counsel for applicant and Mrs.Mini R Menon, learned counsel for respondents. The short point for consideration in this OA is that whether the decision to use the services of the applicant in the Publicity Section is arbitrary or illegal. I see merit in the contention of the respondents that in view of the situation in which there are three stenographers and only two senior level officers, it was decided to use the services of the applicant in the Publicity Section. Such re-deployment for ensuring optimum utilisation of the available man-

power is in the overall interest of the organisation. There is no change of location and no hardship on account of that. Instead of resisting such additional responsibilities and calling it a harassment, it was an opportunity for the applicant to prove his abilities in doing whatever job is entrusted to him. This is not a case where he has been given a job for which he is not capable. The list of duties assigned to him as per MA-2 are all clerical duties which can be done by a Junior Stenographer. The applicant has not ~~been~~ established violation of any specific rule. No arbitrariness or discrimination is also seen in the action of the respondents. During the course of the arguments, the counsel for the applicant sought a direction for consideration of the applicant's representation at Annexure MA-3. This is a reasonable request.

4. In view of the above position, I do not find any justification to interfere in the stop gap arrangement made by the respondents. The O.A is therefore dismissed. However, respondents shall consider the representation at Annexure MA-3 appropriately and issue necessary orders within three months from the date of receipt of a copy of this order.

Dated, the 24th September, 2008.


Dr. K. S. SUGATHAN
ADMINISTRATIVE MEMBER

VS