

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No. 410 of 2006

Monday, this the 15th day of January, 2007

C O R A M :

**HON'BLE DR. K B S RAJAN, JUDICIAL MEMBER
HON'BLE MR. N. RAMAKRISHNAN, JUDICIAL MEMBER**

H. Rahila Beevi,
W/o. A. Shamsudeen,
GDSMP, Madathara P.O.,
Kollam, Residing at
"Charuvila Veedu", Mylakkadu P.O.,
Chathannur, Kollam.

... Applicant.

(By Advocate Mr. Shafik M.A.)

v e r s u s

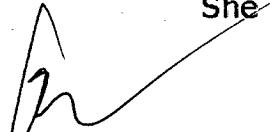
1. Union of India,
Represented by Director,
Department of Posts, Ministry of
Communications, New Delhi.
2. The Chief Postmaster General,
Kerala Circle, Trivandrum : 695 033.
3. The Senior Superintendent of Post Offices,
Kollam : 691 001.
4. The Sub Divisional Inspector (Postal),
Kottarakkara Sub Division, Kottarakkara ... Respondents.

(By Advocate Ms. Mini R. Menon, ACGSC)

O R D E R
HON'BLE DR. K B S RAJAN, JUDICIAL MEMBER

The applicant is presently working as GDSMP at Madathara Post Office.

She is at present living at Mylakkad, the native of her husband, who is an ex-



Air Force man. As the of GDSBPM became available at Mylakkad, she had applied for the same in 2002 and was also called for interview thereafter. On her husband's writing to the Air Headquarter for recommendation of posting of the applicant at Mylakkad, the Air Headquarters too requested the respondents to consider the case of the applicant sympathetically. While so, in view of a proposal of joining two post offices Venkolla and Madathara whereby the latter post would be abolished, created in the mind of the applicant/^{as if} ~~feat~~ that she would be dislodged from that post and enlisted as discharged GDS agents list, she made yet another representation in 2004. A like proposal was under consideration even in combining the duties of GDSMC Kollayil with that of GDSMP, Madathara. This too prompted the applicant to pen another representation, vide Annexure A-5 for posting her as SPM at Mylakkad. While there was no response to the representations of the applicant, the post of Mylakkad was filled up and hence, the applicant penned another representation (Annexure A-6) for transfer as GDSBPM in Velichikala Post Office, a place which is nearer to her husband's native place. And on another vacancy arising at Chirakara Post Office, she had made a request for transfer, which was, however, rejected. Again, the applicant had made a representation that she be accommodated as GDSBPM, Kizhakkaranela vide representation dated 27-07-2005.

2. While the above were all at a juncture when there was no clear transfer policy, recently, the respondents have come out with certain

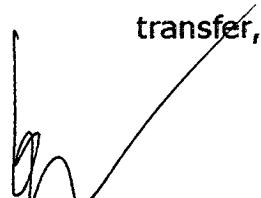


guidelines of transfer of GDS employees and the same are being given effect to. As such, according to the applicant, there is no embargo in considering the case of the applicant in accordance with the existing transfer guidelines.

3. Respondents have filed their reply. They had given their justification that the applicants transfer request Aduthala could not be possible as the workload therein was not sizeable and it was decided to re-deploy one of the delivery agents of the same post office as GDSBPM/MD. However, the respondents have fairly submitted that the respondents are open mind and are ready to consider the applicant to any other alternative post subject to the conditions mentioned in the transfer guidelines (Annexure R/1 order dated 17-07-2006).

4. During the course of arguments, the counsel for the applicant submitted that there is a vacancy at Kizhakkaranela for which the applicant has already penned a representation dated 27-07-2005 and as such, it could be easily possible for the respondents, under the present guidelines, to effect the transfer of the applicant as GDSPM Kizhakkaranela.

5. We have considered the case. Taking into the fact that the applicant's husband is an ex Air Force man and that the Air Headquarters too had made a special request and taking into consideration the recent guidelines of transfer, vide Annexure R-1, if vacancy is available at Kizhakkaranela, it may

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not be too difficult for the respondents to accommodate the applicant in the said place, subject to the applicant's fulfilling the requisite conditions of transfer. If the respondents have the plan of filling up of the vacancy at Kizhakkaranela by fresh recruitment, the same could be done with reference to the existing place of posting of the applicant i.e. Madathara.

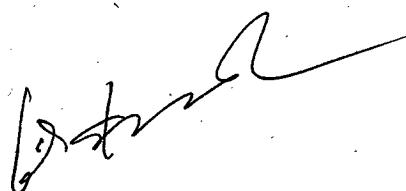
6. In view of the above, and taking into account the positive approach of the respondents that they are open mind in considering the transfer of the applicant, as stated in their reply, the OA is disposed of with a direction to the respondents to consider the transfer request of the applicant to Kizhakkaranela and effect the transfer within a period of six weeks from the date of communication of this order. If there be any pressing reason whereby the applicant could not be posted therein, or which would make the transfer illegal, the applicant be informed by a reasoned and speaking order.

7. No costs.

(Dated, the 15th January, 2007)



N. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K B S RAJAN
JUDICIAL MEMBER

CVR.