

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Circuit Bench at LUCKNOW

Registration O.A. No. 53/89 (L)

Guru Prasad Verma and

Hira Lal Applicants

Versus

Chief Superintendent, Central

Telegraph Office, Lucknow and ^{the} ors ... Respondents

Hon' Mr. D.S. Mishra, A.M.

Hon' Mr. D.K. Agarwal, J.M.

(By Hon' Mr. D.K. Agarwal, J.M.)

This application under section 19 of Central Administrative Tribunals Act 1985 has been filed by two employees of Central Telegraph Office, Lucknow, namely, Guru Prasad Verma and Hira Lal against their transfer orders dated 31.1.89 and 8.2.89 respectively, to Barabanki. Their contention is that they are senior employees of the Central Telegraph Office, while the instructions are to effect transfer of junior employees from surplus staff to newly established Departmental Telegraph Office. They have placed reliance on the instructions contained in the letter from the Government of India, Ministry of Communication, Department of Tele-communication, Sanchar Bhawan, New Delhi, dated 21.11.1988 contained in Annexure-I.

DK. Agarwal

2. In the counter affidavit, the respondents have pleaded that there were no surplus staff at Lucknow. The respondents have alleged in para 12 of the counter affidavit that only 87 Telegraphists are available in the Central Telegraph Office, Lucknow as against ^{the} ~~of~~ sanctioned strength of 100 Telegraphists. They have further pleaded in paras 10 and 11 of their counter affidavit that the transfer orders have been passed in accordance with the directions of Director General, Posts & Telegraph, New Delhi, contained in letter No. 257/97/75-STB-I, dated 11-10-73 (Annexure-No. 'B' to the counter affidavit). They have also pleaded in paras 3(d) and 11 of the counter affidavit, that the decision was taken in the 40th and 43rd RC JCM meeting held on 4-11-87, under Item No. 19, that employees with longest standing should be transferred to Departmental Telegraph Office, outside Lucknow vice those who have completed two years stay in Departmental Telegraph Office, outside Lucknow, like, Barabanki, Hardoi, Kheeri etc. etc. The contention of the respondents is that the applicants were employees of the longest standing at Lucknow and that they have been directed to be transferred vice those who have already put in 2 years service in Departmental Telegraph Office, Barabanki.

3. We have considered the matter. We do not find any material on record to hold that there was any surplus staff at Central Telegraph Office,

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Lucknow. If so, the transfer order of the applicants must be taken^{to} have been passed in routine manner. Further, there is no material on record to rebut the contentions of the respondents that the applicants were having longest stay at Lucknow. The order of transfer also makes a mention in respect thereof. Thus, in our opinion, there is no force in this application.

4. Before we part, we ^{may} have also observed that the two employees have joined together in an application against their individual transfer order without the permission of the Tribunal warranted by the rules of procedures. However, since we have heard the application on merits, we proceed to pass the final order.

5. The application is dismissed with no order as to costs.

J.K. Grewal

J.M.

(sns)

Lucknow

MARCH 31st, 1989

A.M.

A.M.