

**Central Administrative Tribunal Lucknow Bench,
Lucknow**

O.A. No. 462/2010

This, the 29th day of October, 2010

HON'BLE SHRI S. P. SINGH, MEMBER (ADMINISTRATIVE)

Pramod Kumar Pandey, aged about 57 years, son of Late Ramkumar Pandey, resident of K0128, Aas Vikas Colony, Sitapur.

Applicant

By Advocate Shri S. K. Verma.

Versus

1. Union of India, through Principal Secretary, Government of India, Ministry of Communication of Telecommunication Department, New Delhi.
2. General Manager (Finance Personnel), Bharat Sanchar Nigam Limited, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi.
3. General Manager (Finance) U.P. East Telecom Circle, La-Place, Lucknow.
4. Assistant General Manager (SEA), Corporate Office, 7th Floor, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi.

Respondents

By Advocate: Shri G. S. Sikarwar/ Shri P. Awasthi for Shri R. Mishra.

Order (Dictated in Open Court)

By Hon'ble Shri S. P. Singh, Member (A)

Heard Shri S.K. Verma, learned counsel for the applicant regarding transfer order issued on 13.7.2010 transferring 56 persons working in BSNL with conditions as stipulated in Para 5, 6, 7, 8, 9, 10, and 11 therein i.e. "any leave if requested by the officer, under transfer, should not be granted under any circumstances by the Circles(s) where they are working presently without

prior permission of the CO BSNL. The officer can apply for leave to the Competent Authority at the new place of posting, who will sanction the same if it is justified in the normal course.

The Circle IFA (s) were requested to relieve the officer(s) immediately and TA/TP was to be regulated as per the guidelines issued by BSNL vide letter No. 19-27/2002-L&A) (Part) dated 15.4.2004.

Necessary charge report was to be sent to all concerned including Manager (SEA), CO BSNL, New Delhi."

Learned counsel for the applicant submitted that the applicant is facing a departmental inquiry and therefore, on this ground, he is seeking quashing of the impugned transfer order dated 13.7.2010 transferring 56 officers in BSNL. He further draws attention of this Tribunal to the transfer policy for employees BSNL. The transfer policy was issued on 7th may 2008 (Annexure-8). It is observed that Para 3 of the said policy is very clear that the "management of BSNL has the right to move or not to move employee(s) from one post/job to another, to different locations, to different shifts, temporarily or permanently, as per business requirements and special needs."

Learned counsel for the respondents objected to any interference with order transferring 56 persons in BSNL vide transfer order dated 13.7.2010. He further states that the employee concerned has already been relieved in terms of the transfer contained in impugned order.

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- 3 -

In view of the position as brought out above, I do not find any merit in this O.A. The impugned transfer order has been issued by competent authority and no malafides have been alleged by the application.

O.A is deserves to be dismissed and is dismissed. No costs.



Member (A)

V.