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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA 565/91.

Date of Order: 30-5-91.

1. T.Pattabhi Rama Rao
2. H.Nagarajan
3. Iftekharuddin Ahmed
4. Mohd.Hussain

...Applicants

Vs.

1. The Union of India represented by
the Secretary, Department of Posts,
Dak Bhavan, Asoka Road, New Delhi-110 001.
2. The Chief Postmaster General,
A.P.Circle, Hyderabad-500 001.

...Respondents

Counsel for the Applicants : Shri K.S.R.Anjaneyulu

Counsel for the Respondents : Shri Naram Bhaskar Rao,
Addl.CGSC

CORAM:

THE HON'BLE SHRI B.N.JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE SHRI J.P.SHARMA : MEMBER (JUDICIAL)

(Judgment of the Division Bench delivered
by Hon'ble Shri B.N.Jayasimha, VC).

This application filed by four Assistant Superintendent of Post Offices working under the Chief Post Master General, Hyderabad. They have filed this application aggrieved by the orders issued by the Chief Post Master General in memo No. ST/ASPOs rotational transfers dated 24-5-91. The applicants says that the first three applicants are working as Asst. Superintendent of Post Offices

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in the 2nd Respondents office and the 4th applicant is working in the office of the Sr. Superintendent of Post Offices, Secunderabad Division. They were issued with rotational transfer orders on completion of post tenure in memo No. ST/ASP0s rotational transfers dt. 30-4-90. Another ^{set of} orders were issued allotting the applicants to the various regions to which is/take immediate effect. They challenge this order on ~~the~~ various grounds (i) According to the policy laid down by the DGP & T Lr. No. 69-22/82-SPBI, dt. 26-7-82, the orders of rotational transfers should be issued in December each year so that the officers/officials may move to the new stations of posting in the following April depending upon academic session. This direction has not been complied with. (ii) As per the Department of Posts, New Delhi lr. No. 33-1/88/PE II, dt. 5-12-89, consequent to the re-organisation, five distinct Postal Regions were formed in A.P. Circle as indicated below :-

<u>Sl.</u>	<u>Name of the Region</u>	<u>Headquarters</u>
1.	Hyderabad City Region	Hyderabad
2.	Hyderabad Region	Hyderabad
3.	Kurnool Region	Kurnool
4.	Vijayawada Region	Vijayawada
5.	Visakhapatnam Region	Visakhapatnam

Each of the Regions was placed incharge of a Post Master General, in Sr. Administrative Grade, while Hyderabad City Region is placed under the control of the Chief Postmaster

General. The Postmaster General in-charge of Regions are vested with full administrative powers within their Regions, and he has no authority to transfer the applicants out of their respective regions. Hence the transfer order transferring the applicants from one region to another region is irregular.

2. We have heard Shri K.S.R.Anjaneyulu, learned counsel for the applicants and Shri Naram Bhaskar Rao, learned standing counsel for the Respondents, who takes notice at the admission stage. The main contention of the applicants is that the DGP & T instructions dt. 26-7-1982, which lay down that advance notice has to be given to the persons who are sought to be transferred has been violated. It is also contended that immediately after issue of the transfer orders on 24-5-91, the applicants submitted representations bringing to the notice of the Chief Post Master General that the transfer orders are in violation of the DGP & T letter dated 26-7-82. Without disposing of the representation the applicants are sought to be relieved immediately to join their new station, Shri Naram Bhaskar Rao on behalf of the Department states that the applicants have already been relieved from their post. The representations were received only on 27-5-1991 and they are still under consideration of the department.

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The applicants have filed application without giving sufficient time to the respondents to consider and pass orders. We have given our careful consideration to these submissions. Prima-facie

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as revealed by the material papers filed by the applicants it appears that the impugned order do/conform to the DG P & T guide lines dt. 26-7-82. The applicants representations submitted immediately on receipt of transfer orders are yet to be considered by the Department.

In the circumstances, we direct that till the representations dt. 27-5-91 made by the applicants are disposed-of by the Respondents, taking into consideration policy guide lines and other instructions issued by the Postal Department, the applicants will be retained at their present post.

The application is disposed-of with the above directions, at the admission stage. Nonorder as to costs.

B.N.Jayasimha
(B.N.JAYASIMHA)
Vice Chairman

J.P.Sharma

(J.P.SHARMA)
Member (J)

Dated: 30th May, 1991.
Dictated in Open Court.

curv/

Supp. Court Officer. 3/5/91

To

1. The Secretary, Department of Posts, Dak Bhavan, Ashoka Road, New-Delhi-110001.
2. The Chief Post Master General, A.P.Circle, Hyderabad-500001.
3. One Copy to Mr. K. S. R. Anjaneyulu, Advocate, 1-1-365/A, Jawaharnagar, Bakaram, Hyderabad-500020.
4. One Copy to Mr. Naram Bhaskara Rao, Addl. CGSC., CAT., Hyderabad.
5. One Spare Copy.

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