

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
ORIGINAL APPLICATION NO. 180/00371/2018

Tuesday, this the 18th day of September, 2018

CORAM

**HON'BLE MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE MR.ASHISH KALIA, JUDICIAL MEMBER**

K.Jagadeesh Babu
Compiler, Directorate of Census Operations
CGO Complex, Poonkulam, Vellayani P.O
Thiruvananthapuram-695 522
Residing at 2577-17 Main, 5-Cross Vijayanagar
2 Stage, Mysore-570 017

... **Applicant**

[By Advocates Mr.Vishnu S Chempazhanthiyil]

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1. Union of India represented by the Secretary
Ministry of Home Affairs, New Delhi-110 001
2. The Registrar General, India
Office of the Registrar General, India
2/A Mansingh Road, New Delhi-110 011
3. The Joint Director of Census Operations
Directorate of Census Operations
CGO Complex, Poonkulam, Vellayani P.O
Thiruvananthapuram-695 522

... **Respondents**

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

This application having been finally heard on 18.9.2018, the Tribunal on the same day delivered the following in the open court.

O R D E R (ORAL)

Per: MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Heard both sides. Shri.Vishnu S Chempazhanthiyil, learned counsel for the applicant based his argument on the fact that although recruitment of the applicant has been made specifically for the Kerala region, several other employees so recruited have been considered and posted to other regions as is evidenced from various Annexures attached to this O.A.

2. The learned counsel for the respondents countered this argument by

submitting that these personnel who were transferred out have been recruited as part of All India recruitment process and the applicant's case cannot be compared with them.

3. Finally, learned counsel for the applicant submitted that the applicant has made a fresh representation, copy of which is made available at Annexure A-13, that he may be considered for transfer to Karnataka region on loss of seniority. He submits that no reply has been forthcoming from the respondents on the specific plea made by him. As agreed by both sides, we feel that the Original Application can be disposed of by directing respondent no.2 to consider and take a view on Annexure A-13 representation submitted by the applicant. Final orders on the same are to be issued by respondent no.2 within a month from the date of receipt of a copy of this order. We reiterate that we are not expressing any view with regard to the eligibility or otherwise of the applicant.

4. The Original Application is disposed of as above. No costs.

**(ASHISH KALIA)
JUDICIAL MEMBER**

**(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER**

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List of Annexures

Annexure A-1 - True copy of appointment order No.Estt.9781/2002 dated 21.11.2006 issued by the 3rd respondent

Annexure A-2 - True copy of communication No.ADM 13 EST (Misc) 96 dated 29.4.2008 issued by the DCO, Karnataka

Annexure A-3 - True copy of the order No.F.No.A11011/2/2006-Ad.V(Pt) dated 31.3.2009 issued by the 2nd respondent

Annexure A-4 - True copy of the order No.35018/3/2011-Est dated 27.8.2014 issued by the DCO, Karnataka

Annexure A-5 - True copy of memorandum No.35018/4/2015-EST dated 5.10.2017 issued by the DCO, Karnataka

Annexure A-6 - True copy of the order No.A.1/1001/2002 dated 13.10.2017 issued by the 3rd respondent

Annexure A-7 - True copy of the representation dated 15.12.2017 to the 2nd respondent

Annexure A-8 - True copy of the representation dated 27.12.2017 submitted by the applicant's mother

Annexure A-9 - True copy of the communication No.A 16013/05/2018-ADM.V dated 23.3.2018 issued by the 1st respondent

Annexure A-10 - True copy of communication No.12011/5/2009-RC dated 7.1.2010 issued by the 2nd respondent

Annexure A-11 - True copy of order No.22015/15/2002-AD-IV dated 18.6.2014 issued by the 2nd respondent

Annexure A-12 - True copy of order No.12011/5/2009-RC dated 9.4.2010 issued by the 2nd respondent

Annexure A-13 - True copy of the representation dated 9.4.2018 to the 2nd respondent

Annexure A-14 - True copy of communication No.12013/2/2018 EST dated 18.4.2017 issued by the DCO Karnataka

Annexure A-15 - True copy of communication No.A 34012/03/2018-Adm-V dated 3/4.4.2018 issued by the Office of the Registrar General, India

Annexure A-16 - True copy of the internal order No.T3(SRS) Mis I/2016 dated 7.5.2018 issued by the Deputy Director

Annexure A-17 - True copy of seniority list of Compilers

Annexure R-1 - Letter File No.7/2/2006-SSC(KKR) Vol.II dated 15.11.2006 from the Regional Director,SSC,Kerala-Karnataka Region

Annexure R-2 - Letter No.Estt.9781/2002 dated 21.11.2006 from the Deputy Director,DCO, Kerala

Annexure R-3 - Letter No.ADM 13 EST(Misc) 96 dated 29.4.2008 from the Deputy Director, DCO, Karnataka

Annexure R-4 - Order No.A1/1001/2002dated 13.10.2017 from the Joint Director, DCO, Kerala

Annexure R-5 - Letter No.Estt.9781/2002(3) dated 8.9.2008 from the Deputy Director, DCO, Kerala

Annexure R-6 - Letter No.28011/02/2007-AD-IV dated 9.9.2008 from the Deputy Director, ORGI, New Delhi

Annexure R-7 - Order No.A-11011/2/2006-Ad.V(Pt.) dated 31.3.2009 from the Under Secretary, ORGI, New Delhi

Annexure R-8 - Order No.A3/7127/2007 dated 4.9.2014 from the Joint Director, DCO, Kerala

Annexure R-9 - Gazette Notification GSR-322 dated 23.11.2011

Annexure R-10 - Letter No.A-16013/05/2018-Adm.V dated 23.3.2018 from the Under Secretary, ORGI, New Delhi

Annexure R-11 - Order No.12011/5/2009-RC dated 7.1.2010, dated 9.4.2010, No.22015/15/2012-Ad.IV dated 18.6.2014 and undertakings

Annexure R-12 - True copy of the OM No. A-22012/3/2017-Ad.III/262 dated 19.03.2018.

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