

**Central Administrative Tribunal
Ernakulam Bench**

OA/180/00767/2017

Thursday, this the 31st day of May, 2018

CORAM

HON'BLE MR.U.SARATHCHANDRAN, JUDICIAL MEMBER

HON'BLE MR.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Ashok Kumar Meena, aged 34 years
S/o Sri Gangaram Meena
Station Master, Kottekad RS & PO
Southern Railway/Palakkad Division
PIN: 678 732.
Residing at Old Railway Colony
Olavakkode, Palakkad-682 009.

Applicant

(By Advocate: Mr.T.C.Govindaswamy)

versus

1. Union of India represented by the
General Manager, Southern Railway,
Headquarters Office, Park Town P.O.
Chennai-600 003.
2. The Chief Personnel Officer
Southern Railway. Headquarters Office
Park Town P.O., Chennai-600 003.
3. The General Manager
North Western Railway Headquarters
Jaipur-302 001, Rajasthan.
4. The Divisional Railway Manager
North Western Railway
Jaipur Division
Jaipur-302 001, Rajasthan.
5. The Sr. Divisional Personnel Officer
Southern Railway, Palghat Division
Palghat-678 002.
6. The Sr. Divisional Operations Manager
Southern Railway, Palghat Division
Palghat-678 002.

Respondents

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

This OA having been heard on 31st May, 2018, the Tribunal delivered the following order on the same day:

ORDER

By E.K.Bharat Bhushan, Administrative Member

The applicant who is working as Station Master in the Palakkad Division of Southern Railway, is seeking one way Inter-Railway/Inter-Zonal transfer on spouse ground to Jaipur Division of North Western Railway in Rajasthan. Earlier, he had filed OA No.353/2017 which was disposed of by order dated 16.5.2017 directing the 5th respondent to dispose of the representation within two months from the date of receipt of a copy of the order. However, by way of reply dated 28.7.2017, the 5th respondent stated that they are unable to accede to the request of the applicant on the ground that the vacancy situation in Palakkad Division has to improve.

2. Smt. Mini R. Menon, learned ACGSC today submitted that after due consideration, the request of the applicant for inter-zonal transfer on spouse ground to Jaipur, Rajasthan has been recommended by respondent Nos. 5 & 6. As Smt. Mini Menon represents all the respondents in this case, we feel that the OA can be disposed of at this stage by directing the respondents to pass appropriate orders on the application for transfer on spouse ground submitted by the applicant. Once the application is approved by respondents 3 & 4, the applicant shall be relieved from his charge under the Palakkad Division forthwith. It is further directed that the entire process involving acceptance of the applicant's request for transfer approval thereof

if found admissible and then his relief from Palakkad Division, should be completed within three months from the date of receipt of a copy of this order. The OA is disposed of as above. No order as to costs.

(E.K.Bharat Bhushan)
Administrative Member

(U.Sarathchandran)
Judicial Member

aa.

Annexures filed by the applicant:

Annexure A1: Copy of the reply issued by the 5th respondent No.J/P.676/VII/IDT/IRT/SMs/Vol.XXIV(Pt) dated 28.7.2017.

Annexure A2: Copy of the order in OA No.180/00353/2017 dated 16.5.2017 rendered by this Tribunal.

Annexure A3: Copy of request of applicant dated 22.9.2015 for transfer to Jaipur Division of North Western Railway on spouse ground.

Annexure A4: Copy of Ministry of Railways letter bearing No.E(NG)II/71/TR/14 dated 1.10.1971.

Annexure A5: Copy of the Ministry of Railways letter bearing No.E(NG)II/97/TR/28 dated 5.11.97 [RBE No.147/97].

Annexure A6: Copy of Railway Board order bearing RBE No.80/2005 dated 10.5.2005.

Annexure A7: Copy of Railway Board order bearing RBE No.23/2010 dated 2.2.2010.

Annexure A8: Copy of comprehensive transfer policy for railway officers communicated by the Railway Board under No.E(O)III/2014/PL/05 dated 31.8.2015.

Annexure A9: Copy of Railway Board order bearing RBE No.12/2017 dated 10.2.2017.

Annexure A10: Copy of representation dated 18.10.2016 submitted to the 5th respondent.

Annexure A11: Copy of representation dated 14.11.2016 submitted to the 1st respondent.

Annexure A12: Copy of grievance registered by the applicant in the online portal of railway employees and the reply.

Annexure A13: Copy of appeal submitted by the applicant and the reply thereto.

Annexure A14: Copy of Railway Board order bearing RBE No.170/2005 dated 6.10.2005.

Annexures filed along with reply statement:

Annexure R1: Copy of the list of applicants registered for the IRT/IDT.

Annexure R2: Copy of letter No.J/P.676/VIII/IRT/IDT/SMs/Vol.XXIV dated 27.3.2017.

Annexure R3: Copy of letter No.P(S) 676/II/IRT/SM/TVC Divn to O.Rly dated 6.4.2017.

Annexure R4: Copy of letter No.E(O)III/2014/PL/05 dt.31.8.2015.