

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

**OA/021/279/2018
Date of Order: 14.09.2018**

Between:

K. Krishna Reddy,
S/o. K. Rama Narsimha Reddy,
Aged about 53 years,
Occ: Junior Works Manager (T), Gr.B,
O/o. Ordnance Factory Medak,
Yeddumailaram,
Medak, Sangareddy District – 502 205.

.... Applicant

AND

1. Union of India rep. by its Secretary,
Ministry of Defence,
New Delhi.
2. Ordnance Factory Board rep. by its
Director General,
Ordnance Factories,
Ayudh Bhavan, 10-A,
Shahid Kudiram Bose Road,
Kolkata – 700 001.
3. The Deputy Director General,
Army Vehicles Head Quarters,
Avadi, Chennai, Tamilnadu.
4. The Senior General Manager,
Ordnance Factory Medak,
Yeddumailaram,
Sangareddy District.

.... Respondents

Counsel for the Applicant : Dr. A. Raghu Kumar

Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC.

CORAM :

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
THE HON'BLE MR. B.V. SUDHAKAR, MEMBER (A)

ORAL ORDER

(Per Hon'ble Mr. Justice L. Narasimha Reddy, Chairman)

The applicant was appointed as Supervisor in the Ordnance Factory at Yeddumailaram, Medak district in the year 1988. Over the period, he earned promotions and as of now he is holding the post of Junior Works Manager (Group 'B' Gazetted). The said post is not factory specific. Any person holding it, is liable to be transferred to the branches all over India.

2. Through Order dated 24.11.2017, the Ordnance Factory Board, Kolkata, Ministry of Defence transferred as many as 15 Junior Works Managers working in different places to certain other places. The applicant herein was transferred to Heavy Vehicles Factory, Avadi, Chennai. The order of transfer in so far as it concerns the applicant, is challenged in the O.A.

3. The applicant contends that he was appointed under Physically Handicapped category. He states that the Government of India evolved a transfer policy for the benefit of Physically Handicapped candidates through Memorandum dated 31.03.2014 and the same was adopted by the Respondent's organisation on 08.09.2017. It is contended that though there is prohibition against transferring Physically Handicapped persons in the routine

transfers, he is sought to be shifted to Avadi.

4. The Respondents filed a counter affidavit opposing the O.A. It is stated that ever since his appointment, the applicant has been working in Yeddumailaram and since he has become a senior person in the organisation, his services are needed at other places. It is also stated that the policy contained in the proceedings mentioned above would come into play only when a Physically Handicapped person is sought to be shifted on completion of the same tenure as other ordinary candidates.

5. Heard Dr. A. Raghu Kumar, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Central Government Standing Counsel appearing for the Respondents.

6. The applicant seeks to challenge the order of transfer dated 24.11.2017. Through the said order 15 Junior Works Managers are transferred and many of them to Heavy Vehicles Factory, Avadi and one or two persons to other places. The occasion to apply the policy evolved by the Government for the benefit of Physically Handicapped Persons would arise if only the applicant is sought to be transferred on completion of term, which is otherwise applicable to ordinary employees. For example, if the tenure of an ordinary employee at a station is four years under a transfer policy, the Physically Handicapped candidate needs to be kept at the station for a longer period. In the instant case, for the past 30 years the applicant has been serving at the same place. Obviously, since he has become a senior person in the

organisation, his experience and guidance are very much necessary at other stations. We do not find any basis to interfere with the transfer order. The applicant is granted two weeks time to join at the new station.

7. The O.A. is dismissed. The interim order passed on 27.03.2018 shall stand vacated. MA/21/409/2018 shall stand disposed of. There shall be no order as to costs.

(B.V.SUDHAKAR)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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