

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/651/2019

Dated: 30/07/2019

Between

G. Pavan Kumar, S/o. G. Kumar,
Aged about 46 years,
Occ: Motor Vehicle Driver,
O/o. Executive Engineer,
Lower Krishna Division,
Hyderabad, Central Water Commission and
the Divisional Secretary/ Branch Secretary,
Work Charged Employees Association,
Central Water Commission,
Hyderabad ò 500 004.

... Applicant

AND

1. Union of India rep. by
the Chairman,
Central Water Commission,
Ministry of Jal shakthi, Seva Bhavan,
RK Puram, New Delhi ò 110 066.
2. The Chief Engineer,
Central Water Commission,
Krishna Godavari Basin,
AC Guards,
Hyderabad ò 500 004.
3. The Superintending Engineer,
Krishna Coordination Circle,
Central Water Commission,
AC Guards, Hyderabad ò 500 004.

... Respondents

Counsel for the Applicant : Dr. A. Raghu Kumar
Counsel for the Respondents : Mrs. L. Pranathi Reddy

CORAM :

Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

{Per Hon'ble Mr. B.V. Sudhakar, Member (Admn.)}

2. Heard both the counsel.

3. The applicant is working as a Driver in CWC in Hyderabad office.

Recently, he was transferred to Pune vide order dated 18.7.2019. The applicant, aggrieved over the transfer, has filed the O.A. Learned counsel for the applicant states that he is a Union leader and as per DOPT OM dated 19.08.1988, he has been granted immunity from transfer.

4. Learned counsel for the respondents submitted that the vehicle driven by the applicant is condemned and, therefore, there is no vehicle for the applicant to drive. Besides, there has been a request from the office in Pune for the services of the applicant. Accordingly, he was transferred to Pune. Learned counsel for the respondents also stated that his position in the Union is not of the level where he could be granted immunity from transfer. Nevertheless, it is observed that he is the Divisional Secretary of a Union which is addressing the grievances of employees of seven Sub Divisions in the Division. Hence, he has the responsibility of ventilating their grievances and Govt. of India provided certain facilities to Trade Union leaders and immunity from transfer is one of such aspects.

5. The applicant has represented to the respondents on 24.7.2019, requesting to retain him in Hyderabad. Learned counsel for the applicant has

stated that there are some other grounds on which he needs to be retained in Hyderabad.

6. In view of the aforementioned submission, the applicant is directed to submit a fresh representation to the respondents with all the grounds he would like to take, within a period of two weeks from the date of receipt of this order and thereafter the respondents shall dispose of the same within a period of four weeks from the date of receipt of such representation.

7. With the above directions, the O.A. is disposed of. Till the representation of the applicant is disposed of, he shall not be disturbed from the post he is presently holding. No order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

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