

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

O.A.No.855 OF 1999.

DATE OF ORDER:21-6-1999.

BETWEEN:

T.S.M.Prasad.

....Applicant

and

1. The Divisional Railway Manager,
South Central Railway, Vijayawada.
2. The Sr.Divisional Personnel Officer,
South Central Railway, Vijayawada.

....Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.Krishna Reddy

COUNSEL FOR THE RESPONDENTS:: Mr.V.Rajeshwara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: ORDER :

ORAL ORDER (PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (J))

Heard Mr.Bheem Singh for Mr.P.Krishna Reddy,
learned Counsel for the Applicant and Mr.V.Rajeshwara-
Rao, learned Standing Counsel for the Respondents.

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2. The applicant in this OA was selected as Traffic Apprentice in the year 1983. He was posted as Assistant Yard Master in the year 1986. He addressed a letter dated:20-11-1997, to the DRM, South Central Railway, Vijayawada, expressing his willingness to undergo Vasectomy Operation. He was operated under request for change of category either as Accounts Clerk or Section Controller or Enquiry-cum-Reservation Clerk with pay protection. His request was not considered by the respondent-Administration.

3. Hence, he has filed this OA praying for a direction to the respondents to post the applicant to the post of Accounts Clerk/Section Controller/ Enquiry-cum-Reservation Clerk(ECRC) immediately for the post he is eligible.

4. Earlier in a similar OA, the respondents had taken a contention that such change of category on undergoing Vasectomy Operation was considered till August,1996. Subsequently, the General Manager held that rules do not provide for such consideration except the Incentives provided for undergoing Family Planning Operations. The Incentive is not provided for change of category. In that view of the matter the applicant cannot claim for change of category on the ground that he underwent Vasectomy Operation.

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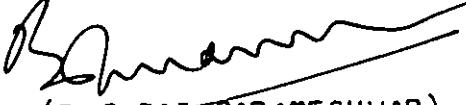
-3-

However, the respondents have ^{submitted} ~~said~~ that they will consider the case of the applicant by registering his name in the register for change of category as requested by him ⁱⁿ his turn.

5. In view of the above, the following direction is given:-

The request of the applicant for change of category on account of his undergoing Vasectomy Operation is dismissed. However, the respondents are directed to register his name for change of category as desired by him and consider his name in accordance ^{as per} with law ⁱⁿ his turn.

6. With the above direction, the OA is disposed of at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)

MEMBER (JUD)

21.6.99.


(R. RANGARAJAN)

MEMBER (ADMN)

DATED: this the 21st day of June, 1999

Dictated to steno in the Open Court


Ashok
wrote

DSN

1ST AND 2ND COURT

COPY TO:-
1. HDMNJ

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

2. HHRP M(A)

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

3. HBSJP M(J)

THE HON'BLE MR. JUSTICE D.H.NASIR
VICE - CHAIRMAN

4. D.R. (A)

THE HON'BLE MR.H.RAJENDRA PRASAD :
MEMBER (A)

5. SPARE

THE HON'BLE MR.R.RANGARAJAN :
MEMBER (A)

THE HON'BLE MR.B.S.JAI PARAMESWAR :
MEMBER (J)

ORDER: 21/6/99

ORDER / JUDGEMENT

MA./DA./CR NO. -

DA. NO. 855/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

D.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED / REJECTED:

NO ORDER AS TO COSTS.

SRR

केन्द्रीय प्रासादनिक विविधण :
Central Administrative Tribunal
प्रेषण / DESPATCH

-9 JUL 1999

हृदयालय प्राप्तवीद
HYDERABAD BENCH