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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD BENCH
AT HYDERABAD

O.A.NO.1348 OF 1993

Between:

R.Venkata Narasaiah

...

Applicant

And

The Senior Supdt. of Post Offices
Prakasam Postal Division
Ongole and 2 others

...

Respondents

COUNTER AFFIDAVIT

~~Between~~ I, K.Sandhya Rani, D/O K.Papa Rao aged 32 years,
Occupation: Government service, resident of Hyderabad do
hereby solemnly and sincerely state on oath as follows:

1. I am the Assistant Postmaster General (S&V) in the office of the Chief Postmaster General as such I am well acquainted with the facts of the case. I am authorised to give this affidavit on behalf of the respondents NOs.1 & 2 also.
2. I have read the original application filed by the above named applicant and I deny the several material allegations made therein except those that are specifically admitted herein.
3. Before traversing in detail the several material allegations, averments and contentions made therein, I beg to submit as follows:
4. The vacancy to the post of the BPM, G.L.Puram, a/w ~~vacancy was created~~ arose due to the retirement of Sri E.Satyanarayana regular BPM on the afternoon of 19-8-93.

It is submitted that the vacancy was notified to the Employment Exchange on 15-4-93, since the Employment Exchange did


ATTESTOR

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Assistant Accounts Officer (Budget)
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Office of the Chief Postmaster General,
खं प्र. ५००००१, हैदराबाद-५००००१.
A P CIRCLE, HYDERABAD-500 001


DEPONENT

Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General,
A.P. Circle, Hyderabad-500 001,

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not sponsor any candidate, public notification was issued on 21-5-1993 fixing the last date for receipt of application as 21-6-93. In response to this notification, out of four applications the following candidates could not be selected for the reasons stated below:

(i) Sri G.Seetharamanjaneyulu: IX class discontinued. Hence, not eligible, minimum required qualification being X class pass.

(ii) Sri Ch.Venkata Subba Rao: The certificates in proof of date of birth, annual income and property possessed not produced. Hence not eligible.

(iii) Sri R.V.Narasaiah: Non resident does not own a house in the BO village and there are unattested corrections found in the income certificate.

5. In reply to paras 1 to 5: Needs no comments.

6. In reply to para 6(A) it is submitted that the applicant is not selected as BPM as he is not eligible to the post as he is not permanent resident of the village; no house of his own in the village and therefore unauthorised corrections found in the income certificate.

7. In reply to para 6(B) it is submitted that one of the conditions for selection as BPM is that the applicant should be

The applicant is related to Sri E.Satyanarayana, EX BPM, G.L.Puram, and he is a resident of Paidipadu village of Korisapadu Mandalam. With a view to get him selected as BPM, G.L.Puram on the plea of past experience, the Ex BPM brought him to G.L.Puram and applied


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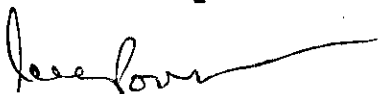
सहायक लेखा अधिकारी (प्रभुत)
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(21)

leave in his name now and then. As per rules no preference need be given for past experience. It is a fact that four candidates have applied to the ppost. But, it is not correct to say that the applications of two candidates were in order. Actually, three applicants were not eligible for the reasons stated supra. Application of one candidate, i.e., the application of Sri G.Peraiah was in order in all respect. Hence he was selected. It is not correct to say that VIII standard is the minimum qualification for BPM post. Actually 10th Class is the minimum qualification for BPM post. One of the conditions that should be fulfilled for BPM's post is that the candidate should possess house in the BO village. The applicant has not own a house in the BO village. Alongwith his application, he submitted a document which is purported to have been an agreement between himself and one Smt.Ravi Sujatha in which it is stated that one house belonging to Smt.Ravi Sujatha was sold to the applicant on 10-10-89. But the document was not a registered one. In case he purchased the house ~~from~~ from Smt.Ravi Sujatha on 10-10-1989, he should have got it registered in the Sub-Registrar's Office. The fact is that he ~~has~~ no house in the BO village to locate the Post Office. In order to overcome this difficulty, he created a document with the conriance of Smt.Ravi Sujatha that her house was purchased by him in the year 1989 transfer of immoveableproperty worth Rs.100/- or house registration is compulsory. The applicant is not a permanent resident of BO village. Actually he is the resident of Paidipadu Village in Korisipadu Mandalam. Along with his application he sent a photostat copy of the employment exchange registration and in which it is clearly stated that he is the resident of Pamidipadu village. Having recognised this discrepancy, he did not submit the original Employment Exchange Card for verification of documents by SDI(P). The property certificate produced by him says that he is a resident of Pamidipadu and



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that he has got landed property at Pamidipadu village only. This goes to show that he is not a permanent resident of BO village. The income certificate is granted by the MRO, Norisapadu. ~~in the~~ In the original copy it is stated that the income belongs to R.V.Chalamaiah, applicant's father. But the words R.Chalamaiah, S/O Chalamaiiah have been inserted, in the original certificate. This goes to show that actually, certificate was issued in the name of the father of the applicant, but the applicant erased the name of his father and substituted his name.

8. In reply to para(c), it is a fact that the residents of G.L.Puram village gave a representation to the SDI (P), Ongole West Sub Division who visited G.L.Puram BO on 12-7-1993 for verification of the original documents, stating that the applicant is not a permanent resident of G.L.Puram. The SDI(P) took this representation, made enquiries into the case and reported that the applicant was a resident of Pamidipadu village but was specially brought to G.L.Puram village by the Ex BPM in order to get him appointed as BPM, G.L.Puram. The SDI(P) further reported that according to his personal knowledge also, the applicant is not permanent resident of G.L.Puram village. The evidence on record has been taken into account and the R3 was selected as he was ~~not~~ eligible in all respects as per the norms prescribed by the department in this regard. It is a fact that the R3 secured less marks in SSC when compared to the marks secured by the applicant. But the applicant could not be selected for reasons already stated above. Therefore, the selection of R3 as BPM is lawful and in accordance with the rules.

9. In reply to para 6 (D), the applicant's representation considered and found that no procedural irregularity has been done

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Asst. Postmaster General
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N.V. Raghava Reddy
Addl. CS&C