

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL - HYDERABAD BENCH : HYDERABAD

OA / ~~TA~~ / ~~PA~~ / ~~CP~~ / MA / DP ..... 1249/97 ..... of 199

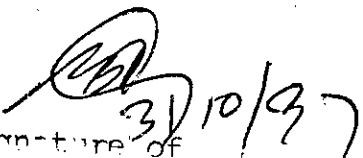
..... V. V. Subrahmanian ..... Applicant (

Versus

..... Mr. S. S. Supt of post office  
Enjoli ..... Respondent (

INDEX SHEET

Serial No.	Description of Documents	Pages
	Docket Orders	1
	Interim Orders	
	Orders in MA (s)	
	Orders in (Final Orders)	
		17-10-97 19/02/97

  
31/10/97  
Signature of  
Dealing Hand  
(In Record Section)

Certified that the file is complete  
in all respects.

Signature of S.O.

*Handwritten notes:*  
16/11/97  
16/11/97

Central Administrative Tribunal Hyderabad Bench: Hyderabad.

O.A.No. 1249 of 1997.

V. V. Subramaniam. Applicants(s).

V E R S U S.

Sr. Supdt. of Post offices,

Prakasam Dist, Ongole & ans  
(respondents).

Date	Office Note	ORDER
------	-------------	-------

24.9.97

Mr. K. Venkateswara Rao, for the applicant and Mr. V. Rajeswararao for the respondents.

Notice List on 17.10.97.

Reply in the meantime. The selection proceedings will be produced on that date.

*JL*  
HBSTP  
R.S.

*[Signature]*  
HRAN  
R(A)

17.10.97

OA is dismissed with no costs vide orders on separate sheet.

*L*  
HBSTP  
R.S.

*[Signature]*  
HRAN  
R(A)

NBA  
1/10/97  
Hapt - 17/10/97  
Issued  
2/10/97

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH : HYDER

ORIGINAL APPLICATION NO. 1249 OF 1997.

V. V. Subrahmanyam

(Applicants(s))

VERSUS.

Union of India, Repd. by.

The Senior Superintendent of Post Office

Prakasam Division, Ongole & 305

Respondent(s).

The application has been submitted to the Tribunal by  
Shri K. Venkateswara Rao Advocate/~~party in~~  
~~person~~ Under Section 19 of the Administrative Tribunal  
Act, 1985 and the same has been scrutinised with reference  
to the points mentioned in the check list in the light of  
the provisions in the administrative Tribunal (procedure)  
Rules 1987.

The application is in order and may be listed for  
Admission on -----

5/19/97  
Scrutiny Asst.

[Signature]  
DEPUTY REGISTRAR (JUDL)

11. Have legible copies of the annexure duly attested been filed. 47
12. Has the applicant exhausted all available remedies. 47
13. Has the Index of documents been filed and pagination done properly. 47
14. Has the declaration as required by item No. 7 of form. I been made. 47
15. Have required number of envelopes (file size) bearing full addresses of the respondents been filed. 47
16. (a) Whether the relief sought for, arise out of single cause of action. 47
- (b) Whether any interim relief is prayed for. 47
- (c) In case an MA for condonation of delay is filed, is it supported by an affidavit of the applicant. —
17. (c) In case an MA for condonation of delay is filed, is it supported by an affidavit of the applicant. —
18. Whether this cause be heard by single Bench. —
19. Any other points. —
20. Result of the Scrutiny with initial of the scrutiny clerk.

Scrutiny Assistant.

Section Officer.

Deputy Registrar.

Registrar.

....

May be numbered 41.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

Case No. 2768(9)

Report in the Scrutiny of Application.

Presented by Sri K. Venkateswara Rao Adv Date of Presentation.

1.9.91

Applicant(s) V V Subrahmanyam

Respondent(s) The Senior Superintendent of Post Office, Proddatur District, Ongole & Co.

Nature of grievance Appointment

No. of Applicants 1 No. of Respondents 4

CLASSIFICATION.

Subject Extra Appointment (No) 10 Department Postal (No) 11

1. Is the application in the proper form, (three complete sets in paper books form in two compliations). 44
2. Whether name description and address of all the parties been furnished in the cause title. 44
3. (a) Has the application been fully signed and verified. 44  
 (b) Has the copies been duly signed. 44  
 (c) Have sufficient number of copies of the application been filed. 44
4. Whether all the necessary parties are impleaded. 44
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6. Is the application on time, (See Section 21). 44
7. Has the Vakalatnama/Memo of Appearance/Authorisation been filed. 44
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) 44
9. Is the application accompanied IPO/DD, for Rs.50/- 44
10. Has the impugned orders original, duly attested legitable copy been filed. 44

No impugned order pl

P.T.O.,

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BRANCH: HYDERABAD

I N D E X

O.A. NO. 1249 of 1997.

CAUSE TITLE

V. V. Subramanyam

V. V. S U S

Pr. Supt. of Post office,

Pranashaw Bldg Ongole Rd

SL. NO.	Description of Documents	Page No.
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6.	Covers	— 4 —

To ensure the appointment of unofficial respondent as ED Pacer and declare that the applicant is entitled for appointment as ED Pacer, Addankigatla etc.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT :: HYDERABAD

Bench

O.A.NO. 1249 OF 1997

Between:-

Extra Departmental Staff (10)(D)

W.V. Subrahmanyam.

... APPLICANT

A N D

Postal (11) POSTAL

The Senior Superintendent of Post Offices, Prakasam Division, Ongole and others.

... RESPONDENTS

CHRONOLOGICAL EVENTS

S.No.	Particulars	Pg.Nos.
1.	Notification is dated 9.4.1997	1
2.	Representation dated 9.6.1997	2

Recd  
19/9/97  
A.N.R. Dandy  
21

Rev. C. S. ...  
Counsel for the Applicant.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT :: HYDERABAD

O.A.NO. 1249 OF 1997

I N D E X

S.No.	Description of the Documents	Pg.Nos.	A.Nos.
1.	APPLICATION	1 to 5	-
2.	Notification dated 7.4.1997	6W 8	1.
3.	Representation dated 9.6.1997	9 W 2	2.
4.	Charge Report on 25.6.1997	13 W 4	3.

*M Venkateswar*  
Counsel for the Applicant

FOR OFFICE USE ONLY

- 1. Date of Filing :
- 2. Registration No. :

Signature of the Registrar.

Application filed under Section 19 of the Act of 1985

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT :: HYDERABAD

O.A.NO. 1249 OF 1997

Between:-

V.V.SUBRAHMANYAM, S/o.V.Yagna Narayana Somayajulu,  
aged about 44 years, Ex-E.D.Packer, Addanki Gate,  
Class-III, Non Delivery Town Sub Office,  
Ongole.

... APPLICANT

A N D

1. The Senior Superintendent of Post Offices, Prakasam Division, Ongole.
2. The Sub Divisional Inspector, Postal, Ongole West Sub Division, Lawerpeta, Ongole-2.
3. The Post Master General, Vijayawada Region, Vijayawada.
4. Y.Prasad, S/o.not known, E.D.M.C./Packer, Addanki Gate, Non Delivery Town Sub Office, Ongole.

... RESPONDENTS

DETAILS OF THE APPLICATION

1. PARTICULARS OF THE APPLICANT : Shown as above  
Address for Services : Mr. K.Venkateswara Rao,  
Advocate, 2-2-1136/3/1,  
Jayalaxminivas, New  
Nallakunta, Hyderabad.

2. PARTICULARS OF RESPONDENTS : Shown as above

3. PARTICULARS OF THE ORDER:-

1. Order No. & Date :

2. Subject in brief :

— nil —  
Appointment on EDMC/Packer

4. JURISDICTION:- The O.A. is within the jurisdiction U/s.14 of the Admn.Tribunal's Act, 1985 as the applicant is working within the State of Andhra Pradesh.

5. LIMITATION:- The O.A. is within the limitation U/s.21 of the Admn.Tribunal's Act, 1985.

6. FACTS OF THE CASE:-

(A) The Applicant is aggrieved by the impugned action of the respondents in ignoring the just claim for selection and appointment to the post of Extra Departmental Mail Carrier/Packer Addanki Gate in pursuance of the Notification Memo.No. B2/PF/EDMC/Packer/Addanki Gate dated 7.4.1997 and appointing the unofficial respondent from 25.6.1997 without any justification or reasonable cause inspite of past experience of the applicant for different spells during the last 10 years and this action is illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

(B) The Applicant submits that he has passed VIII Class and is a permanent resident of Ongole town. The Applicant has worked as E.D. L.B.Peon/E.D.Packer from 1988 in leave vacancies as detailed in his representation dated 9.6.1997 and gained rich experience. The Applicant had also got his name registered in Employment Exchange Ongole vide No. 5877/91. The Applicant had been continuously working as E.D.Packer at Addanki Gate from 19.2.1996.

(C) While so the second respondent had notified the vacancy of Mail Carrier/<sup>r</sup>acker Addanki Gate to the Employment exchange of Ongole and also got issued notification in Memo.No.B2/PF/EDMC/Packer/Addanki Gate dated 7.4.1997 inviting the applications from eligible candidates for selection to the post of Extra Departmental Mail Carrier/Packer Addanki Gate on Rs.240/- per month. The last date fixed for receipt of Application is 6.5.1997. The Applicant submits that he possesses all the requisite qualifications for appointment to the said post and also possess rich experience. The Applicant had therefore applied for the above post of E.D.M.C./Packer along with others. The Applicant submits that according to the existing provisions the qualifications prescribed for the post of E.D.M.C./Carrier is VIII standard but however it is stated that preference may be given to candidates with Matriculation qualification. The Applicant therefore submits that he is entitled to be considered for selection and appointment to the post of E.D.M.C./Packer in view of his qualifications and also the experience at this credit.

(D) While so strangely the second respondent has appointed the unofficial respondent as <sup>E</sup>.D.M.C./Packer Addanki Gate in utter disregard to the legitimate claim of the applicant. on the ground that he possesses X Class qualification. The Applicant submits that the second respondent appointed the unofficial respondent on exterior and motivated considerations

even though he has no previous experience. The Applicant submits that ~~merely~~ he should be considered for appointment to the post of EDMC/Packer of Addanki Gate in view of the law declared by the Hon'ble Supreme Court in Union of India Vs. N.Hargopal and others (1987) 3 Scc 308 and Excise Superintendent Malkapatnam Krishna District and K.B.N. Visweswar Rao and others reported in 1986 (6) Scale Page 676. The Applicant submits that merely because the rule provides that preference may be given to the candidates with matriculation qualifications it cannot be said that the post is to be filled by candidates possessing matriculation qualification only, by passing the candidates possessing previous experience. It is useful to submit in this connection, that in the case of E.D. Sub Post master and E.D.Branch Post masters, where, Matriculation is prescribed as a qualification it is clearly laid down that the selection should be based on the marks secured in the matriculation or its equivalent examination and that no weightage need be given for any qualification higher than matriculation. The Applicant therefore submits that in the case of E.D.M.C./Packer in question also, the marks secured in VIII Standard should be taken into consideration, and as such the ~~applicant's~~ appointment cannot be made on the basis of higher qualifications. The Applicant submits that the respondents have totally ignored the long experience of the applicant and appointed the unofficial respondent who is a raw candidate with no experience and as such, the appointment of the unofficial respondent as E.D.M.C./Packer Addanki is required to be set aside by declaring that the applicant is entitled for appointment to the post of E.D.M.C./E.D.Packer. It is relevant to submit that under identical circumstances the respondents have appointed a VII Passed candidate of Chandrapadu but it is only in this case that the applicant was discriminated. The Applicant has no other effective, alternative remedy except to approach the Hon'ble Tribunal.

7. REMEDIES EXHAUSTED:- The Applicant has no other effective alternative remedy except to approach this Hon'ble Tribunal.

8. MATTERS NOT PREVIOUSLY FILED OR PENDING:- The Applicant has not filed any other O.A./W.P. in this regard and such a case is not pending in any court or authority of law.

9. MAIN RELIEF:- It is therefore prayed that this Hon'ble Tribunal may be pleased to call for records relating to Notification Memo.No.B2/pF/EDMC/Packer/Addanki Gate dated 7.4.1997 issued by the Sub Divisional Inspector (West) Ongole Office of the Senior Superintendent of Post Offices, Ongole and consequential appointment of the unofficial respondent as EDMC/Packer of Addanki Gate and quash the same and consequently declare that the applicant is entitled to the post of EDMC/Packer Addanki Gate and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

10. INTERIM RELIEF:- It is therefore prayed that this Hon'ble Tribunal may be pleased to direct the respondents to forthwith appoint the applicant as EDMC/Packer of Addanki Gate, Class-III Non delivery Town Sub Office, Ongole and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

:: 5, ::

11. COURT FEE:-

I.P.O., No. & Date :

8/2 229225 M  
25/8/97

Name of the P.O. which drawn:

New Vallab  
Kachepada #80  
Hij

Rs 50/- A  
P.O. E.C. D.D. Remove

12. ENCLOSURES:-

I.P.O., Material Papers, Covers, Pads, &  
Vakakath & etc.

VERIFICATION

I, V.V. Subrahmanyam, S/o. V. Yagnanarayana Somayajulu,  
aged about 44 years, Ex-E.D. Packer, Addanki Gate, Class-III,  
Non Delivery Town Sub Office, Ongole, do hereby verify that  
the contents in the above paras 1 to 6 are true to my personal  
knowledge and paras 7 to 12 are true to legal advice from  
my counsel and I have not suppressed any material  
facts.

Hyderabad,  
Dated :

V.V. Subrahmanyam  
Signature of the Applicant

Wentkathuram  
Counsel for the Applicant.

AI / Bb @

SUB DIVISIONAL INSPECTOR (POSTS)

ONGOLE WEST DEPARTMENT OF POSTS, INDIA

O/O the Sr. Suptd. of Post Offices, Prakasam on Ongole 523 001

Memo. No. B2/PP/SD/nc/Paces/Adakusate dated at Ongole-1, the 7.7.97

NOTIFICATION

Application in the enclosed form are invited from eligible candidates for selection to the post of Extra-Departmental Branch Postmaster at Blankavenu/Paces District Post Office under Adakusate sub Post Office. The post carries allowances of Rs. 240/- per month.

2. The last date of receipt of application in the office of the undersigned is 6.5.97

3. Following are the conditions attached to the post.

i) Age:

The applicant should have completed 18 years of age as on the date of issue of this notification. The maximum age upto which a person appointed to the post can be retained in service will be 65 years.

Educational qualifications:

(Matriculation or its equivalent)

ii) Income and ownership of property:

The person applying for the post must have adequate means of independent livelihood. He/she must have an adequate source of income and must be able to offer suitable space to locate the post office, with provision for installation of even public call office (PCO). Income or property in the name of their guardian will not make them eligible for consideration for appointment as EO Agent.

iii) Residence: The person to be appointed to the post must be permanent resident of the village where the post office is located.

iv) The person selected for appointment to the post will have to furnish the prescribed security.

vi) No person holding an elective office will be considered for appointment to the post.

vi) Any candidate who is selected must before appointment to the post take up his residence in the EO village as EO Agent.

vii) You are one of the candidates sponsored by employment exchange officer, Ongole for the above post. You may therefore send the application in the proforma enclosed alongwith copies of certificates required there in so as to reach this office on or before

...2.

2825  
74  
NPO  
onpe

7

// 2 //

4. The following documents should be submitted with the application ( see instructions in the application form)
- i) Certificate regarding date of birth
  - ii) Certificate regarding educational qualification.
  - iii) Caste certificate from the prescribed authority (in case the applicant belong to the SC/ST)
  - iv) Income certificate and property certificates.
  - v) Certificate regarding residence.
  - vi) Employment certificate and letter of permission from the employer to apply for the EO post (in case the State or Central Government Department/ Organisation or Panchayat Raj Department).
  - vii) In case the applicant is Ex-serviceman/Ex-Army/Postal personnel, proof of army service and discharge certificate should be produced.

5. Important instructions to the applicant:

- i) Applications should be submitted only in the proforma enclosed to this notice and should be in the applicant's own handwriting. Full and clear information should be given in all columns of the application, otherwise the application will not be considered.
- ii) The applications should bear the date of submission without fail.
- iii) The certificates and other enclosures submitted along with the applications should be attested in the application by the applicant himself in the space provided in application under his/her signature. This should be done without fail.
- iv) All the required documents/ certificates should be submitted along with the application. No document will be accepted later or in piecemeal. Applications not accompanied with all the necessary certificates with incomplete information will not be taken consideration and no further correspondence will be entertained.

...3.

(11)

(8)

// 3 //

v) The application duly completed in all respects should be sent by registered post superscribing on the envelope application for the post of BPM Application received after the fixed date i.e., 6.5.97 will not be considered.

Sr. DIVISIONAL INSPECTOR  
Sr. Supdt. of Post Office  
Prakasam Dist. Ongole-523 001.  
Ongole PIN-523001

A copy of this notification is issued

- REGD/AD 1. The BPM
- oo- 2. The ~~PH/SPM~~ Addl. SPM *Adl. SPM* so - *adl - SPM*
- jo- They should exhibit this notice as well as the proforma of application form, prominently on notice board in their office.
- do- 3. The ISPOs/SOI(P)s  
He will please ensure that the notice/application form is exhibited on the notice board of concerned office.
- do- 4. The mail overseer.  
He should ensure that wide publicity is given this office notification in the village and its hamlets if any.
- fo- 5. The Sarpanch
- do- 6. The MRO
- do- 7. The Mandal Development Officer
- do- 8. The village Assistant.
- do- 9. The Head Master School
- do- 10. The Station house officer.
- do- 11. The Employment Officer Ongole 523 001
- 12. Spare.

The above mentioned authorities (5 to 11) are requested to exhibit this notice and also to proforma of application enclosed to the notice on the notice boards of their office and in the Gram Panchayat et., for general information of the public, wide publicity may be given in the availability of the vacancy notified in the notice.

Sr. Supdt. of Post Office,  
Prakasam Dist. Ongole-523 001.

*[Handwritten signature]*

AFI (12)  
9

Ongole,  
9-6-97.

From:  
V.V.Subrahmanyam,  
EdPacker,  
Addankigate, Post Office,  
Ongole.

To  
The Sub-Divisional Inspector,  
Ongole West Sub-Division,  
LAIYERPET,  
ONGOLE - 2.

Respected Sir,

Subj:- Request for appointment as E.D.Packer  
Addankigate.

I humbly submit the following few <sup>words</sup> & ~~works~~ for your  
kind consideration and favourable orders.

I worked as E.D.LB Peon, ED Packer in Ongole H.O.  
Laiyerpet and other town offices since 1988 in Leave  
vacancies and also Provisionally appointed by the  
Post Master, Ongole H.O. Till, I was appointed as E.D.  
Packer, Addanki Gate, S.O. in 19-03-96 provisionally  
consequent on the resignation of Sri B.Srinivasa Rao  
S/o. B.Subrahmanyam Provisionally appointed as  
Mailoversener, Ongole H.O. in 19.2.1956 and appointed  
again as ED/C/Packer Ammanabrolu Provisionally as  
detailed below.

- 1) In Place of Sri T.Sinivasa Rao E.D.Packer /EDLB Peon  
a) 12.11.88 to 24.11.88.  
b) 13.9.90 to 15.9.90  
c) 19.1.90 to 20.1.90.
- 2) In place of Sri A. solemnraju E.D.Packer .  
a) on 29.12.91  
b) 24.2.92 to 29.2.92  
c) 9.3.92 tto 23.3.92.

...2

(10)

11211

- d) 7.4.1992 to 9.4.1992 , 16.4.92 to 18.4.92  
20.4.92 to 24.4.92
- e) 5.5.92 to 7.5.1992.
- f) 8.6.92 to 13.6.92
- g) 8.7.92 to 12.7.92,
- h) 1.10.92 , 3.10.92, 13.10.92 to 14.10.92
- i) 7.5.1993 to 8.5.1993, 22.5.93 to 25.5.93,  
27.5.93 to 29.5.93
- j) 9.6.1993 to 14.6.93 and 21.4.93
- k) 3.7.93, 14.7.1993 to 17.7.1993, 21.7.93 to 27.7.93
- l) 3.8.93 to 7.8.1993
- m) 6.9.93 to 11.9.93 , 24.9.93 to 25.9.93 28-9-93 to  
30.9.93
- n) 1.10.93,
- o) 5.11.93 to 6.11.93 , 25.11.93 to 27.11.93 and  
30.11.93
- p) 1.12.93 to 4.12.93 and 15.12.93
- q) 15.3.1994 to 19.3.1994.
- r) 6.4.1994 , 13.4.94 , 19.4.1994 to 22.4.94.
- s) 3.5.1994 to 14.5.94 and 17.5.1994 to 23.5.94.  
5.7.94 to 9.7.94, 13.7.94, to 16.7.94  
26.8.94 to 31.8.94  
1.9.94 to 3.9.94 and 15.9.94 to 24.9.94  
3.5.95 to 6.5.1995  
12.6.95 to 20.6.1995  
1.11.95 to 6.11.95 , 13.11.95 to 18.11.95  
1.12.95 to 12.12.95.
- 3) In Place of Sri T.Seshaiah EB Pakar / EDL B.Poon  
Ongole H.O.
- a) 12.7.1991
- b. 19.4.91 to 20.4.91.
- c. 1.6.94 to 30.6.94
- d. 26.7.94 to 30.7.94
- e) 1.8.94 to 7.8.1994

3: 3: 3

(11)

- f) 1.10.94, 3.10.94 , 6.10.94 to 8.10.94 ,  
18.10.94 to 31.10.94
- g) 2.11.94 , 7.11.94 to 11.11.94 , 14.11.94 to 17.11.94  
19.11.94, 21.11.94 to 26.11.94 , 28.11.94 to 30.11.94
- h) 2.12.94 , 6.12.94 to 16.12.94 , 19.12.94 to 31.12.94
- i) ~~1.1.95 to 9.1.95 , 12.1.95 to 16.1.95 , 18.1.95 to~~  
31.1.95.
- j) 1.2.95 to 11.2.95 , 14.2.95 to 28.2.95
- k) 1.3.95 to 23.3.95 and 27.3.95 to 31.3.95
- l) 28.4.95 to 30.4.95 , 1.4.95 to 10.4.95 ,  
15.4.95 to 25.4.95.
- m) 27.6.1995 to 30.6.95.
- 4) In place of Sri Ch.Jacob EDL B.Peon, Ongole to
  - a) 12.12.89 to 23.12.89 , 26.12.89 to 30.12.89
  - b) 2.1.90 to 6.1.90.

2.1.90 to 6.1.90 , 15.1.90 to 16.1.90 , 19.1.90 to 20.1.90  
22.1.90 to 23.1.90  
1.2.90 to 3.2.90 , 14.2.90 to 17.2.90  
13.3.90 , 16.3.90 to 31.3.90  
6.4.90 to 16.4.90 to 22.4.90  
11.5.90 to 30.6.90.

20.12.90 to 31.12.90 , 4.1.91 , 9.1.91 and 10.1.91  
13.6.91 , 3.7.91 to 6.7.1991 , 13/3/7, 25.7.91 to 31.7.91  
1.8.91 to 31.10.91.

and the post master , Ongole H.O.has also given  
provisional appointment from 30.10.91.

contd...4

11411

In this connection I humbly submit S/S. T. Srinivasa Rao  
lawyerpet, Y. Venkata<sup>Rao</sup>/ Copalanaagar, and Provisionally, K.  
Srinivasulu Provisionally appointed as EDDA Alur A/w.  
Karavadi Based on his service only and again at ED Packer  
NPO, Ongole H.O. Regularly. And again I am working  
as E.D. Packer Addanki Gate from 19.2.96.

Regarding my qualifications I am an S.S.C. Failed  
candidate, and also registered my name in Employment  
exchange with Registration No. 5877/91 and in reference to  
your notice dt. 7.4.1987, I also applied for the same post  
of E.D. Packer Addanki Gate, and continuously working as Such  
from 19.2.96 vide your Memo No. P.F./ FDMC/Packer/ Addanki gate  
dt. 19.2.96.

Under these circumstances I humbly submit that I am very  
poor, and also lost my mother one year back and dependent  
sister is with me and there is no body to look after her.  
As such I request that my case may kindly be considered on  
humanitarian grounds, based on Previous service (On par  
with Sri K. Srinivasulu, NPO) and favourable orders issued  
in the matter for which I shall be highly thankful to you Sir.

Thanking you Sir,

Yours faithfully,

V. V. Subrahmanyam

(V.V. SUBRAHMANYAM).

Copy submitted to the Senior Superintendent of  
Post Offices, Ongole for information.



फॉर्म-61  
A.C.G.-61

भारतीय डाक विभाग  
DEPARTMENT OF POST INDIA.

विनियम 267 डाक-तार वित्त पुस्तिका का खण्ड I (द्वितीय संस्करण)  
Rule 267, Posts and Telegraphs Financial Handbook, Volume I, Second Edition

1080-EL  
25-9-52

चार्ज की बदली पर चार्ज रिपोर्ट और नकदी और छिंटों की लीद  
Charge Report and Receipt for cash and stamps on transfer of charge

प्रमाणित किया जाता है कि  
Certified that the charge of the office of

चार्ज ..... (नाम) ने  
was made over by (name) *Shri V.V. Subrahmanyam*

(नाम) को  
to (name) *Shri P. Prasad* स्थान  
at (place) *Agartala*

तारीख ..... को पूर्वाह्न से  
अपराह्न

on the (date) *25/9/52* दिनांक ..... को उपरोक्त नियम के अनुसार  
in accordance with

मार्ग P/E O.M.O. / Director A g. 10

*V.V. Subrahmanyam*  
भारतमूक्त अधिकारी  
Relieved Officer

*P. Prasad*  
भारतमूक्त अधिकारी  
Relieving Officer  
[कृपया पं. !]  
[P.T.O.]

A 111  
16



CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH.

O.A. REGD. NO 2768/97

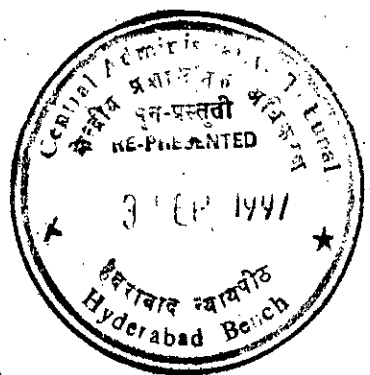
Date: 1.9.97

To Sh. K. Venkateswara Rao, Adv

Sir,

I am to request you to rectify the defects mentioned below in your application within 14 days from the date of issue of this letter, failing which your application will not be registered and action under Rule 5 (4) will follow.

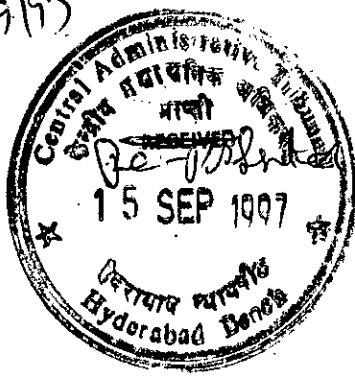
- 1) Rule position to be mentioned in the cause file.
- 2) one more copy of the application to be filed.
- 3) material papers to be attached.



824  
 filed  
 after with  
 him

*[Signature]*  
 DEPUTY REGISTRAR (JUDL)

1/0  
 15/9/97  
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1249/97

Date of Order : 17.10.97

BETWEEN :

V.V.Subrahmanyam

.. Applicant.

AND

1. The Senior Superintendent of Post Offices, Prakasam Division, Ongole.
2. The Sub Divisional Inspector, Postal, Ongole West Sub Division, Lawerpeta, Ongole.
3. The Post Master General, Vijayawada Region, Vijayawada.
4. Y.Prasad.

.. Respondents.

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Counsel for the Applicant

.. Mr.K.Venkateswara Rao

Counsel for the Respondents

.. Mr.V.Rajeswara Rao

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

---

O R D E R

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) )(

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Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.

2. The applicant in this OA applied for the post of EDMC Addanki Gate in pursuance of the notification No.B2/PE/EDMC/Packer/Addanki Date dated 7.4.97 (A-1). R-4 was selected.

3. This OA is filed for setting aside the appointment of R-4 as EDMC of Addanki Post Office and for a consequential direction to the respondents to appoint the applicant in that post.

4. We have perused the notification dated 7.4.97. The notification clearly states the educational qualification required for this post <sup>to</sup> of Matriculation or its equivalent. The applicant is only 8th standard passed. He had failed in the Matriculation. The learned counsel for the applicant submitted that the applicant is working as EDMC for a long time and hence should be equated to the required educational qualification and on that basis he should have been selected.

5. When the educational qualification is clearly spelt out the applicant cannot ask for a reduction in the qualification to appoint him. If he is aggrieved by the educational qualification prescribed in the notification because of the reason that the qualifications prescribed is against the rules invoked then he should have challenged that notification; instead he submitted himself <sup>by</sup> for applying in pursuance of the notification. The applicant submitted himself to the conditions of the notification especially the educational qualification and applied for the same. Hence he cannot challenge the selection now when he had not fulfilled the minimum educational qualification prescribed in the notification.


6. Whether the experience and possessing of 8th standard can be equated to the Matriculation examination is point for consideration. In this Tribunal when the case of the provisional candidates are rejected if they ~~do~~ not possess the minimum qualification or they are not considered as meritorious candidates even if they possess <sup>ed</sup> minimum qualification ~~if~~ <sup>when</sup> they obtained less marks compared

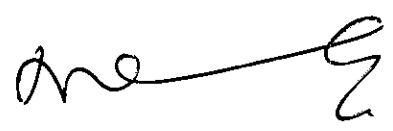
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to the selected candidate who had not worked as a provisional candidate, the qualification of the applicant cannot be held as equivalent to Matriculation. In that view the contention now raised by the applicant cannot be upheld. Hence this contention has to be rejected.

7. In view of what is stated above, we find no merit in this OA. Hence the OA is dismissed at the admission stage itself. No costs.

  
B.S. JAI PARAMESHWAR )  
Member (Judl.)

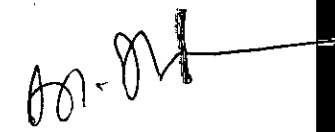
  
( R.RANGARAJAN )  
Member (Admn.)

17/10/97

Dated: 17th October, 1997

(Dictated in Open Court)

sd

  
D.R.(J)

OA.1249/97

1. The Senior Superintendent of Post Offices, Prakasam Division, Ongole.
2. The Sub Divisional Inspector, Postal, Ongole West Sub Division, Eawerpeta, Ongole.
3. The Post Master General, Vijayawada Region, Vijayawada.
4. One copy to Mr. K.Venkateswara Rao, Advocate, CAT., Hyd.
5. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
6. One copy to D.R. (A), CAT., Hyd.
7. One duplicate copy.

srr

29/10/97

(8)

TYPED BY  
COMPILED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :  
M (J)

Dated: 17/10/97

ORDER/JUDGMENT

M.A./R.A./C.A.NO.

in

O.A.NO. 1249/97

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
दस्तावेज/DESPATCH  
28 OCT 1997  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH