

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18544 OF 2019

ORDER :

Heard learned counsel for the petitioner and the learned Standing Counsel for respondents.

2. Notification No.1 of 2018 was issued on 16.02.2018 by the 1st respondent - Northern Power Distribution Company of Telangana Limited inviting applications for recruitment to the post of Junior Lineman. Petitioner responded to the said notification and participated in the selections. Based on the performance in the written examination conducted on 08.04.2018, results were announced on 25.05.2018. The respondents follow the principle of reservations to locals. To the extent of vacancies meant for open competition without reference to the local candidate status, short listing is based on the over all merit secured and after excluding them, the further merit list against the local candidate vacancies was taken up. A person, who is competing against open competition, has to secure higher merit. Petitioner was not called for poll climbing test as he did not secure merit against unreserved vacancies. Though the test was held in January-February 2019, finally on 18.07.2019, the petitioner kept quiet and came before this Court at the last minute when for a few candidates, poll climbing test was conducted in the State, claiming that he is a local candidate of Nizamabad District and he ought to have been considered for vacancies reserved for locals.

3. According to the learned counsel for the petitioner, petitioner secured merit, to be eligible for consideration against vacancies earmarked for local candidates; that petitioner is a local of Nizamabad District and therefore, he is entitled to be considered in the vacancies reserved to the Nizamabad District locals, but, the petitioner was not considered as local candidate and treated as non-local for all the districts and the same is not valid in law.

4. The SSC certificate is filed as Ex.P-6. The community certificate and residence certificate are also filed. According to SSC certificate, petitioner studied SSC in a School within the Nizamabad District. Thus, normally, he should be treated as a local candidate for Nizamabad District. However, as seen from the application submitted by the petitioner regarding school education details, he has mentioned that he studied 4th class in Nizamabad, 5th class in Karimangar, 6th class in Hyderabad, 7th class in Ranga Reddy, 8th class in Adilabad, 9th class in Medak and 10th class in Mahabubnagar. It is not known as to why petitioner has mentioned in this manner. Whereas, according to the learned counsel for the petitioner, petitioner studied up to 10th class in Nazamabad District. As per the definition of the local candidate, a person can be treated as local in a particular district if he has studied four years continuously leading to awarding of SSC certificate. Apparently from the statement made by the petitioner in his application, he has not studied four years continuously leading to passing of 10th class in Nizamabad District. These particulars can only

be taken into consideration for determining the local candidate status of the applicant. Ex.P1 is the result published in May 2018. In Ex.P1, petitioner is shown as non-local to all Districts. Poll climbing test was conducted from 26.08.2018. For the reasons best known to him, petitioner was not alert when the same was notified in Ex.P1.

4. According to learned Standing Counsel, for some of persons, who could not participate in the earlier test, the poll climbing test was conducted in June 2019, and last of such test was held on 18.07.2019. It appears that with reference to the economically backward classes issue, pursuant to the directions issued by this Court, few of the persons were subjected to poll climbing test, but otherwise the poll climbing test was concluded long ago.

5. Having regard to the fact that the petitioner himself gave a wrong declaration in the application submitted by him, which was never corrected, and the petitioner was not alert when the results were published, which discloses his status as non-local to all the districts and the alleged poll climbing test exercise also concluded, this Court is not inclined to grant the relief as prayed for in the writ petition.

6. The writ petition is accordingly dismissed. No order as to costs. Pending miscellaneous petitions, if any, shall stand dismissed.

P.NAVEEN RAO, J

August 26, 2019
KTL