

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13751 of 2015

Date: 02.06.2015

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Between:

Smt. Domathoti Venkata Ramana

... Petitioner

And

The State of A.P., rep., by its Principal Secretary,
Panchayat Raj Department,
Hyderabad & others.

... Respondents

This Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13751 of 2015

ORDER:

Petitioner is a Sarpanch of Akkapalem Village, Tiruvuru Mandal, Krishna District. The grievance necessitating institution of writ petition is that persons, who are appointed as Members to the Pension Verification Committee (for short, "the Committee") do not have requisite qualification, eligibility to be Members of the Committee and on account of composition of the Committee by ineligible persons there was difficulty in identification of eligible villagers, who can be granted pension as per the scheme launched by the Government.

2) According to the learned counsel for the petitioner the Committee Members are not actively involving in the social activities, as such, they are not well versed with the villagers and therefore there was difficulty in identifying the eligible persons and on account of such composition, great injustice is being caused to the persons, who deserve to receive the pension. Though the petitioner is also a Member of the Committee, but she being alone not belonging to the party in power, her voice is not taken note of and none of the recommendations made by her were acted upon. The only criteria for selecting the persons as Members of the Committee is their affiliation/being Members of political party in power and such approach was not proper.

3) Government issued orders in G.O.Ms.No.135 dated 17.09.2014 prescribing guidelines for identification of eligible persons to receive Social Security Pension. Detailed procedure is prescribed in the said order for the purpose of identification of eligible persons. Committees at various levels were constituted. At Grampanchayat level also Committee was constituted with the representatives of backward classes, scheduled castes and scheduled tribes. There is a separate Committee at District level. If the eligible number of persons exceeds more than 400, there can be more than one Committee to look into the eligibility criteria. The criteria for selection is that a person should be social activist or a Member of the self help group. No other qualifications are prescribed. It is not denied by the petitioner and the learned counsel fairly submits that the Committee Members of this village belong to the same village.

4) Even according to the complaint lodged by the petitioner before the District

Collector on 20.04.2015, only allegation is the Members of the Committee are inactive and cannot be said as persons who can select the eligible beneficiaries under the scheme. When there is no prescription in guidelines for identification of Members of village committee or any other eligibility other than the status as social activist or member of self-help group and when the scheme *per se* is not under challenge, it cannot be said that the persons, who are selected, are ineligible to occupy the position as Members of the Committee. The scheme also incorporates scrutiny process at various levels and therefore, the names identified by the Village Level Committee do not become final. Unless thorough verification is made, the persons are not extended the benefit under the scheme. Further more, it is not one time identification of persons eligible for the scheme, but it is a running scheme and as and when a person claims to be eligible for receiving the pension, after scrutiny of that eligibility, pension can be granted.

5) Though learned counsel for the petitioner submits that several eligible persons recommended by the petitioner were not accepted, none of their names are mentioned in the affidavit. Be that as it may, if there are eligible persons, it is always open for the petitioner to bring it to the notice of the competent authority of their eligibility and it is for the said authority to consider such request.

6) In the representation dated 20.04.2015, petitioner has raised several grievances on various issues concerning the village. In the writ petition, in terms of the prayer sought, the grievance is only confined to the eligibility of the Members of the Committee. Further more, though serious allegations are made on the eligibility of persons selected as Members of the Committee, none of them are made as respondents to the writ petition.

7) In the absence of the affected persons being made as parties to the writ petition; in the absence of challenge to the scheme under which the persons were selected as Members of the Committee; and as no material is brought on record to show that the persons appointed as Members of the Committee are

not suitable to be Members and not meeting the requirements of G.O.Ms.No.135, I am not inclined to grant the relief sought for by the petitioner.

8) The writ petition is wholly misconceived and the same is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

P. NAVEEN RAO, J

Date: 02.06.2015

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