

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30361 of 2015

Date: 20.01.2016

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Between:

Baddika Nagaraju, S/o Appanna, Aged 27 years,
Occu: Field Assistant, Jarada Gram Panchayat,
Kurupam Mandal, Vizianagaram District and
others.

.....Petitioners

And

The State of Andhra Pradesh, rep.by its Principal
Secretary, Panchayat Raj and Rural Development,
Secretariat, Hyderabad and others.

.....Respondents

The Court made the following:

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ORDER:

Petitioners are the Field Assistants. Their services are not renewed on the ground that they have failed to achieve the minimum performance parameters. On the same issue, W.P.No.27468 of 2015 and batch were heard and this Court disposed of the batch of writ petitions by judgment dated 31.12.2015.

2. Following the said decision, this writ petition is also disposed of with the following directions.

i) The respondent - District Collector shall form a committee of three officers consisting of Revenue Divisional Officer, any District level Officer, other than the District Panchayat Officer and Mandal Parishad Development Officer of respective mandals i.e., Kurupam Garividi, Cheepurupalli, Kottavalasa of Vizianagaram District. The Committee shall hold its sittings in respective Mandal Parishad Development offices with advance intimation of date of holding of sitting to Field Assistants hitherto working within the territorial jurisdiction of concerned mandal, whose contract is not renewed, give them opportunity to explain the targets achieved by them which are not accounted/reasons for not achieving the targets, other constraints. The Committee shall also make available the assessment record of respective Field Assistants for perusal of concerned Field Assistants. The Committee shall consider said explanations objectively and make appropriate recommendations to the competent authority.

ii) The competent authority shall consider the recommendations of the committee objectively and shall take decision for renewal of the contracts of petitioners having due regard to parameters set out while granting such renewal to others. Until the

entire exercise is completed no fresh recruitment shall be made.

iii) It is to be noted that if the contract of any of the petitioners is not renewed, they are entitled for consideration for fresh enlistment along with other candidates from open market, more so when the respondents also contend that the decision not to renew the contract of employment is not as a measure of penalty nor intending to attach stigma. Thus, respondents shall permit such of those petitioners whose contract is not renewed also to compete along with open market candidates and consider their suitability for appointment as Field Assistants if they are otherwise eligible and without regard to previous assessment undertaken at the time of renewal of contract.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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