

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.5431 OF 2006

ORDER:

The petitioner challenges the proceedings dated 12.01.2006, as illegal, arbitrary and violative of Article 14 of the Constitution of India.

Through the proceedings dated 12.01.2006, the 4th respondent has been appointed as Anganwadi Worker by the 1st respondent.

The petitioner challenges the appointment on the ground that the petitioner has highest qualification, fared well in interview and the consideration of 4th respondent for appointment as Anganwadi Worker is vitiated by extraneous circumstances.

The 1st and 2nd respondents filed counter affidavit and on the appointment under challenge, the reply of respondents 1 and 2 reads thus:

"In reply to paras 3 & 4 it is submitted that, as per criteria for selection of Anganwadi Workers communicated vide Cir. Memo No.15763/K3/98, dated 21.08.1998 of the Director, Women Development and Child Welfare Department, A.P., Hyderabad a candidate for the post of Anganwadi Worker should possess the following qualifications.

1. The Candidate should be daughter-in-law of the village and should reside in the same village where the post of Anganwadi Worker is vacant.
2. The women candidate should be of the age group of 21-45 years. Married women will be given preference. In case married eligible candidates are not available, unmarried may be selected.
3. The candidate should be Matriculate. If matriculates are not available below Matriculates may selected. The

candidates should acquaint with knowledge in reading and writing records and registers.

4. The Candidate should be acceptable to community.
5. The Candidate should have rapport and to work with all religions.
6. Should have the skill and tactics to work for upliftment of the Child.
7. Should have the skill and tactics in involving all the villagers in the activities of Anganwadi Centers.
8. Should have awareness, dedication, patience and quality of guiding villagers.

It is submitted that, out of 57 candidates applied for the posts of Brahmin Veedhi and Chinta Veedhi, 42 candidates have attended to the interview Smt.Chebolu Varalakshmi, W/o.Muralidhararao is a native and she is a daughter-in-law of S.Kota village. She has passed 10th class and fulfilled all the requisite qualifications for the post of Anganwadi Worker. The Anganwadi Workers selection committee has observed that she is poorest of the poor and actively participated in the interview. The other members of the selection are also impressed. Therefore, the selection and consequent appointment of the individual is not illegal and she possesses all the requisite qualifications.

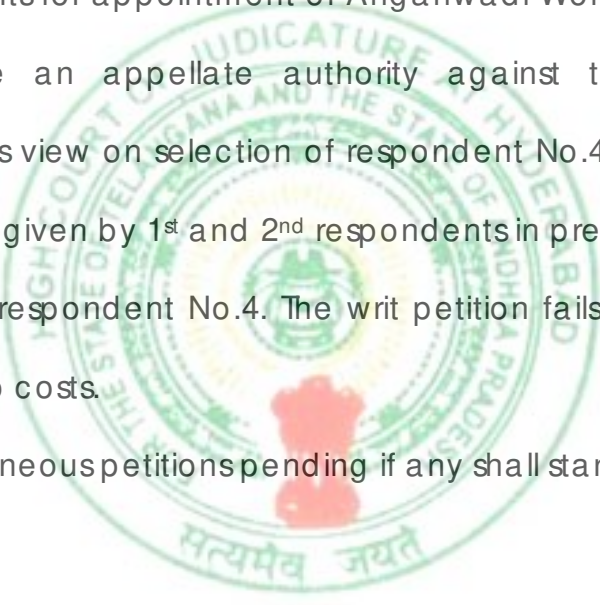
In reply to paras 5 & 6 it is submitted that, the respondent No.4 is resident of S.Kota village and she has passed Intermediate examination in the year of 1993 and fulfilled all the requisite qualifications for the post of Anganwadi Worker. As she is the poorest of the poor and complied with all the conditions, her appointment as Angwadi Worker is not in violation of any rules or constitutional rights.”

From the counter affidavit, it is clear that the eligibility criteria or guidelines are satisfied by the petitioner and the 4th respondent. The petitioner also admits that the 4th respondent possesses minimum education qualification and satisfies the criteria. The complaint of petitioner is that poorest of poor is not one of the reasons for tilting the case in favour of 4th respondent, therefore, the

appointment is vitiated. The submission of learned counsel is referred to only to be rejected.

The counter affidavit of respondents 1 and 2 does not state that the poorest of poor alone weighed with respondents 1 and 2 in appointing 4th respondent as Anganwadi Worker. On the other hand, it is stated that the 4th respondent actively participated in the interview and hence has been short listed. The allegations in this behalf by themselves cannot be treated as circumstances warranting consideration of entire exercise undertaken by 1st and 2nd respondents for appointment of Anganwadi Worker or this Court can act like an appellate authority against the order and incorporate its view on selection of respondent No.4. I am satisfied with the reply given by 1st and 2nd respondents in preferring to select and appoint respondent No.4. The writ petition fails and dismissed. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT,J

Date:08.09.2016
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