

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.1028 OF 2016

ORDER

This writ petition was filed challenging the proceedings dated 05.01.2016 issued by the Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad, which reads as under:

“The Department has decided to organize a programme for collection of Rs.10/- from each Principal, Staff & Student of Government & Aided Junior Colleges in the State towards donation for “My Capital, My Amaravathi, My Brick” campaign.

In view of the above all the District Vocational Education Officers in the State are hereby instructed to issue instructions to all the Principals of Government & Aided Junior Colleges in their jurisdiction and collect the amounts college-wise without fail.

The amount should be collected transparently and there should not be any scope to misuse these amounts. They are instructed to furnish the details college-wise duly indicating the number of staff & students and the total amount collected in the college. They are instructed that the collected amounts should reach this office by 10.01.2016 as the consolidated amount has to be handed-over to the Hon'ble Chief Minister on 14-1-2016.

This proceedings should be acknowledged.”

A plain reading of the aforestated extract reflects that each and every student and member of the staff of Government and aided Junior Colleges in the State were required to donate a sum of Rs.10/- per head towards “My Capital, My Amaravathi, My Brick” campaign. However the learned Advocate General appearing for the State of Andhra Pradesh produced proceedings dated 06.01.2016 issued by the Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad, which clarified the matter and reads as under:

“It is proposed to encourage voluntary contributions from the willing Principals, Staff and students of Government and Aided Junior Colleges in the State @ Rs.10/- (Rupees Ten only) towards “MY CAPITAL, MY AMARAVATHI, MY BRICK” campaign.

In view of the above, all the District Vocational Education Officers in the State are requested to advise all the Principals of Government and Aided Junior Colleges in their jurisdiction to encourage the contributions to the above programme. The Principal may remit the same in the form of

consolidated D.D. along with list of contributors, in favour of "The Commissioner of Intermediate Education, Andhra Pradesh", payable at Hyderabad. The Name of the College and No. of contributors may be recorded on the reverse of the D.D.

The D.V.E.Os in turn may collect the D.Ds and send to the Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad, so as to reach on or before 11-01-2016."

In the light of the later proceeding, it is clear that there is no element of compulsion and the contributions are to be made voluntarily, if at all. That being so, the challenge to the proceedings dated 05.01.2016 no longer survives for consideration.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

07th JANUARY, 2016

PGS