

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.20770 OF 2001

ORDER:

This writ petition is filed seeking regularization or absorption as Single Teacher in Girijana Vidya Vikasa Kendra schools situated at T.W.P.S. Balaji Nagar of Govindaraopet Mandal and Miryalpet of Mamidigudem Mandal, Warangal District.

2. The petitioners are claiming to be the Single Teachers working in agency areas as they are fully qualified and eligible to be appointed as Teachers. They submitted applications to the Mandal Parishad Development Officer for absorption as Single Teachers. The M.P.D.O. vide proceedings No. 4/148/98, dated 16.12.1998, appointed the petitioners as community teachers at T.W.P.S. Balaji Nagar. The said appointments had been made basing on the recommendations of the 7th respondent and also taking into consideration of the representations made by the villagers. The 4th respondent is the appointing authority for all the posts in the agency area and the community schools and that the G.V.V.K. schools are maintained under the supervision of the 4th respondent.

The petitioners' case is that they belong to the Scheduled Tribe and Scheduled Caste community respectively. As per the Government orders, the petitioners

are entitled to be appointed as G.V.V.K. teachers. The Government have absorbed several teachers belong to the Scheduled Castes and Scheduled Tribes by relaxing the conditions of notification. The Government had issued G.O.Ms.No.223, Education (Ser.III-2) Department, dated 01.07.1989. In the said G.O., the Government have given concessions to the S.Cs. & S.Ts. candidates. The persons, who are appointed as teachers on daily wage basis under Integrated Tribal Development Agency, Eturunagaram and having completed 5 years of service, approached this Court by filing writ petition. This Court, having considered their length of service, directed the respondents to pass orders for regularization of their services. Though the petitioners are on the same footing, the respondents are not considered the case of the petitioners for absorption. The action of the respondents is illegal. Hence, this writ petition came to be filed.

3. The respondents filed counter stating that the Government had issued G.O.Rt.No.204 Social Welfare (TS.Edn-II) Department dated 10.04.2000, framing certain guidelines for appointment of teachers in G.V.V.K. schools.

4. The guidelines are annexed to the said G.O. As per the guideline No.9, the process for appointment of teachers for G.V.V.K. schools are as follows:

“A written test shall be conducted for the candidates who are proved to be “Local ST” as per para (5) above. The residency in scheduled area since 26th January 1950 may be ascertained from the census document. The written test consists of 75 marks followed by an oral test for 25 marks. Only such candidates who secure 30 marks in the written examination may be called for interview. The number of candidates to be called for oral interview may be restricted to thrice the number of posts. At the time of oral interview, the following weitaiges may be given as detailed below:”

5. As per said G.O. and guidelines, the petitioners have no right or claim to seek absorption as G.V.V.K. school teachers. When there is no possibility to absorb them as teachers, the respondents could not be blamed for their non-absorption. Further, their services would not come within the Integrated Tribal Development Agency, Eturnagaram as they were appointed by 7th respondent on representation of the villagers.

6. For the reasons stated above, the Writ Petition is dismissed as the petitioners are not entitled to be absorbed in view of G.O.Rt.No.204, dated 10.04.2000. No order as to costs.

7. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE M.GANGA RAO

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03-07-2018

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