

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20213 OF 2018

DATED :16.07.2018

Between :

Sanapala Ranga Rao, S/o.Lakshmunaidu,
Aged 40 yrs, Occu : Field Assistant,
R/o.Thamaram Village, Santhakaviti Mandal,
Srikakulam District.

.. Petitioner

And

State of Andhra Pradesh,
Rep., by its Principal Secretary to Government,
Panchayat Raj & Rural Development Department,
Secretariat, Velagapudi,
Amaravati, Guntur District & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Special Standing Counsel.

2. Petitioner claims that he was appointed as Field Assistant in Kobagam Gram Panchayat in Narasannapeta Mandal, Srikakulam District on 16.03.2011 and to the satisfaction of competent authority he was discharging his duties and responsibilities till April, 2017. From May, 2017, petitioner was directed not to attend to duties. Aggrieved by non-renewal of his appointment as Field Assistant, this writ petition is filed.

3. According to learned counsel for the petitioner, the report submitted by the Programme Officer, Santhakaviti dated 10.10.2016 addressed to the Assistant Project Director, DWMA, Rajam Cluster, it is clear that the work performance is below the fixed targets and the Field Assistants could not reach the targets due to bad site conditions and full of water bodies. Thus, assuming the performance of petitioner was not up to the mark, this factor was required to be considered and therefore, not granting renewal is illegal.

4. According to learned Special Standing counsel, as per the instructions furnished to him by the Commissioner, PR & RD, Vijayawada, vide his letter dated 15.11.2016 the Gram Panchayats are categorized basing on generation of person days of wage employment from 01.07.2015 to 30.06.2016 and during this period the Gram Panchayats which generated above 5000 person days is

categorized as Performance Gram Panchayat (List-I) and the Gram Panchayats which generated less than 5000 person days and above 1000 person days is categorized as Low Performance (List-II) and the Gram panchayats which generated less than 1000 person days is categorized as Low Potential (List-III) and to this category village no Field Assistant/Senior Mate/Junior Mate is allowed.

5. As per the instructions of Commissioner, whenever there is reduction in person days, the village is shown in lower category.

6. According to learned Special Standing Counsel, once the category is changed, the person working previously cannot be continued and there must be a fresh selection process. As the category of village is changed, selections were conducted and person by name Kancharapu Ramachandra Rao, was appointed as Senior Mate, who joined on 04.05.2017. Learned Special Standing counsel therefore, submits that there is no vacancy to accommodate the petitioner.

7. Though learned counsel for the petitioner sought to rely on the earlier judgment of this Court in W.P.No.27468 of 2015 & batch dated 31.12.2015, the facts as noted above would make it clear that after April, 2017 petitioner is not working and that the status of Gram Panchayat is now brought down to List-II and for List-II gram panchayat only a Senior Mate is appointed and that already another person is appointed as Senior Mate. The contract term of the petitioner was over. Thus, even assuming the procedure required, as directed to be followed by this Court in the above batch of writ petition, is not followed, no relief can be

granted at this stage, as the status of village is now reduced to List-II and that another person is already appointed.

8. The writ petition is liable to be dismissed. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

16th July, 2018
Rds

P.NAVEEN RAO,J

