

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12161 of 2016

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Soni Kumari W/o Sri Manikant Niraj resident of Village- Nagar Panchayat
Banmankhi, Ward No.7, Post Banmankhi, Dist- Purnea. Petitioner

Versus

1. The State Of Bihar through the Secretary Department of Social Welfare Government of Bihar, Patna
 2. The Director, I.C.D.S., Integrated Children Department Administrator-cum-District Officer, Purnea.
 3. The Joint Commissioner-cum-Secretary Regional Transport Authority, Office of Sub Divisional Commiss
 4. The District Magistrate, Purnea.
 5. The District Programme Officer, Purnea.
 6. The Deputy Collector Land Reforms Banmankhi, Purnea.
 7. The Child Development Project Officer, Banmankhi, Purnea.
 8. Renuka Devi, wife of Late Go0pal Krishna Bhagat, r/o Village + PO+PS Banmankhi, Ward No. 7, District Purnea. Respondents
- =====

Appearance :

For the Petitioner/s	:	Ms.Mira Kumari
For the Respondent/s	:	Mr.Vinay Kirti Singh- GA 2
		Mr. Akhileshear Singh
For respondent No. 8	:	Mr. Ranjeet Tiwary
		Mr. C.B.Upadhyay

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 21-02-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State as well as learned

Counsel appearing on behalf of private respondent No. 8.

Under earlier order of this Court dated 26.11.2018 the

State was directed to produce the original Mapping Register in

respect of Centre Code 266 Ward No. 7 for perusal of the

Court. The direction was given since the District Programme

Officer had found that the Mapping Register was not prepared

in accordance with the guidelines. The specific finding of the

District Programme Officer was that only the signature of



Sevika was there on the Mapping Register. He had taken note of the fact that the Child Development Project Officer and the Female Supervisor, who are responsible for preparation of Mapping Register, have not put their signature on the same. Therefore, relying on such Mapping Register for selection of Anganwari *Sevika* done in favour of the petitioner was by a procedure not in accordance with law. The order of the District Programme Officer was assailed by the petitioner before the District Magistrate, Purnea, who has concurred with the finding of the District Programme Officer.

In view of the submission made by the petitioner that the Mapping Register was prepared in accordance with law and by the competent authority, the records including the Mapping Register were called for. On seeing the Mapping Register, it is more than evident that the Child Development Project Officer has not put her signature or initial on the same. The guideline provides that the Mapping Register has to be prepared by the Child Development Project Officer and the Mahila Paryavekshika.

Counsel for the petitioner submits that in view of the amended guidelines of 2010, in absence of Female Supervisor another authority could have been asked to prepare Mapping Register.



There is no such communication on record that authority was delegated to any person other than Child Development Project Officer or Female Supervisor for preparing Mapping Register. In the circumstances the submission of the petitioner's Counsel is not acceptable.

Reliance placed by the petitioner's Counsel on the case of *Nilam Devi & ors Vs. The State of Bihar & ors* passed in *CWJC No. 15684 of 2019*, also cannot enure to the petitioner's benefit as in the said case on going through the records the Court had come to a conclusion that full fledged exercise in preparing Mapping Register was carried out in respect of the centre in question.

In the instant case, on the contrary, it is apparent from the Mapping Register that the Child Development Project Officer was not party to preparation of the Mapping Register and, as such, the conclusion that the selection procedure was not in accordance with law does not require any interference.

The writ petition is devoid of merit and the same is dismissed.

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(Madhuresh Prasad, J.)

