

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18718 of 2019

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Priti Kumari, W/o Ravi Kumar, resident of Village- Morsand Malpur, P.S.
Pusha, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Samastipur.
2. The District Programme Officer, Samastipur.
3. The Child Development Project Officer, Samastipur.
4. Smt. Shakuntala Kumari, W/o- Sushil Paswan, resident of Village- Morsand Malpur, P.S.- Pusha, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. M.P. Bhartee, Advocate Ms. Manisha Prakash, Advocate
For the Respondent/s	:	Mr. Prashant Pratap, GP-2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-09-2019 Heard learned counsel for the parties.

2. The petitioner was selected for her engagement as Anganwari Sevika. There was an objection raised against her selection on the ground that she was disqualified from being selected in terms of Clause-6 of 2016 Guidelines issued for selection of Anganwari Sevika/ Sahaika under Integrated Child Development Services.

3. Clause-6 of the guidelines declares the daughter-in-law of a Government servant disqualified from being selected as Anganwari Sevika/ Sahaika. Petitioner is admittedly the daughter-in-law of a Government servant. Her selection was



accordingly held to be illegal on an objection raised before the District Programme Officer, Samastipur by an order dated 25.05.2019, which was challenged before the Collector, Samastipur giving rise to Anganwari Appeal No. 319 of 2019. The said appeal has been dismissed and the petitioner's claim has been rejected.

4. Learned counsel appearing on behalf of the petitioner has submitted that since there has been a partition in the joint family and petitioner and her husband are living separately from her father-in-law, who is a Government servant, disqualification under Clause-6 of the Guidelines shall not come into play.

5. Selection and engagement of Anganwari Sevika/ Sahaika was admittedly made under the Guidelines of 2016. It is clearly mentioned in Clause-6 that wife or daughter-in-law of a Government servant having monthly income of Rs. 12,000=00 or more shall be disqualified for selection/engagement as Anganwari Sevika/ Sahaika.

6. Learned counsel appearing on behalf of the petitioner has attempted to convince this Court that the said Guidelines are not to be read strictly like any statutory provision since the Guidelines are executive in nature. He has also submitted that a female not staying in the joint family with her



father-in-law cannot be held to be disqualified from being selected as Anganwari Sevika/ Sahaika.

7. Since the language of the Scheme is clear and the provisions of the Scheme have not been challenged, I do not find any merit in the contention made on behalf of the petitioner. In do not find any illegality in the impugned order passed by the Collector, Samastipur.

8. This application has no merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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