

आदेश फलक

आदेश और पदाधिकारी का हस्ताक्षर

आदेश पर की गई
कार्रवाई के बारे में
टिप्पणी तारीख सहित

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COURT OF THE DISTRICT COLLECTOR WEST CHAMPARAN

RM-50/11-12

Sheila Devi

Vs

State of Bihar and others

ORDER

29.4.12

1 This appeal has been filed against the order of District Programme Officer, ICDS, West Champaran vide letter no 124 dated 14.11.2011 whereby the selection of appellant Sheila Devi w/o Mithilesh Ram as anganwaadi sevika of Centre no 38, at Tamkuha Panchayat of Madhubani ICDS Project was terminated. The order was communicated vide letter no 402 of 26.11.11 issued by CDPO, Madhubani-Piprasi.

2. Heard all concerned and perused all the documents on record.

3. The CDPO, Madhubani-Piprasi issued several show cause notices to Sheila devi. The charges against appellant were that she was not implementing 6 programs as per norms, that she did not submit utilization certificates, did not distribute amount meant for uniform and chuda-gur and that the center was found closed. Despite being issued showcause by CDPO, Madhubani vide letter no96 dated 16.3.11, 158 dated 8.4.11, 349 dated 1.10.11 and 370 dated 22.11.11 the sevika continued to be careless towards her responsibilities.

4. Perusal of the record indicates that show cause notices issued were received by the appellant and she submitted her replies to the CDPO too. However, they were found unsatisfactory.

5. The CDPO, Madhubani in her report indicates that the centre was found closed on 16.3.11, 5.4.11 and 3.2.12 during inspection. That the center was found closed on 3.2.12 was also videographed. Since there was no improvement in the performance, the CDPO vide letter no 387 dated 12.11.11 recommended termination of the appellant with relevant papers.

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5. Sheila devi in her defense has submitted posahar purchase vouchers for the months of January - April 2011 which have been countersigned by the CDPO on 7.6.11. Further she has submitted THR distribution register from January 2010 for Pregnant and Lactating Women. The register shows entries every month upto may 2011 and thereafter only for September 11. The registers are countersigned by Up mukhiya and Upsarpanch.

6. The appellant submits that she has filed her reply in response to show cause issued by CDPO. But she was terminated by DPO on 24.11.11 without any reasonable opportunity to be heard.

7. Perusal of the record shows that the DPO, West Champaran did not give any opportunity for the appellant to be heard. Hence evidence adduced in this appeal was never considered by him.

8. I therefore, set aside the order of District Programme Officer, ICDS, West Champaran vide letter no 124 dated 14.11.2011 whereby the selection of appellant Sheila Devi w/o Mithilesh Ram as anganwadi sevika of Centre no 38, at Tamkuha Panchayat of Madhibani-Piprasi ICDS Project was terminated. She is reinstated as Sevika of centre no 38 with immediate effect.

9. I remand this matter to District Program Officer, West Champaran who shall issue notices to all concerned, hear them, appreciate the evidence and pass a speaking order within one month.

Send a copy of this order to CDPO, Madhubani-Piprasi and DPO, West Champaran for compliance.

Biswan
29/11/11

District Collector
West Champaran