

# आदेश फलक

आदेश की क्र० सं० तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कार्रवाई के बारे में टिप्पणी तारीख सहि
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1. 5.12	<p style="text-align: center;"><b><u>COURT OF THE DISTRICT COLLECTOR</u></b> <b><u>WEST CHAMPARAN</u></b></p> <p style="text-align: center;"><b>RM-52/11-12</b> <b>Reema Devi</b> <b>Vs</b> <b>State of Bihar and others</b></p> <p style="text-align: center;"><b><u>ORDER</u></b></p> <p>1 This appeal has been filed against the order of District Programme Officer, ICDS, West Champaran vide letter no 124/m dated 14.11.2011 whereby the selection of appellent Reema Devi w/o Dayanand Yadav as anganwaadi sevika of Centre no 59, at Khotahwa of Madhubani ICDS Project was terminated. The order was communicated vide letter no 402 of 26.11.11 issued by CDPO, Madhubani-Piprasi.</p> <p>2. Heard all concerned and perused all the documents on record.</p> <p>3. The CDPO, Madhubani-Piprasi issued several show cause notices to Reema devi. Despite being issued showcause by CDPO, Madhubani vide letter no 253 dated 9.8.10, 267 dated 23.8.10, 179 dated 18.5.11 and 376 dated 9.11.11 the sevika continued to be careless towards her responsibilities. The charges were that centre was closed, attendance was not found in required, THR was not distributed and name board not displayed.</p> <p>4. Perusal of the record indicates that show cause notices issued were received by the appellent and she submitted her replies to the CDPO too. However, they were found unsatisfactory.</p> <p>5. The CDPO, Madhubani in her report indicates that the despite several notices, there was no improvement in the performance, the CDPO vide letter no 387 dated 12.11.11 recommended termination of the appellent with relevant papers. The CDPO along with her written report annexed photopoied of THR register dated 15.3.11,15.9.11 wherein quantity of ration distributed was not affixed although thumb impressions of beneficiaries were taken. Photocopies of attendance</p>	

*10.11.11*

register also were submitted showing poor attendance.

6. Reema devi in her defense has submitted that she filed replies for all show cause notices. Since the centre is run in a school premises, name board was not displayed and that she has tried to improve attendance. The appellant could not give any satisfactory reply as to why the entries of quantities of THR was not made on 15.3.11 and 15.9.11.

The appellant presented purchase voucher for 15.3.11 which were found to be countersigned by CDPO, Madhubani-Piprasi on 7.6.11. When questioned as to why the purchase vouchers were countersigned by CDPO when irregularity was found in the register, the CDPO states that irregularity was detected at a later date. Photopies of the register submitted has initials affixed on 10.4.12 indicating that the verification was done much later than the termination of appellant which was done on 14.11.11.

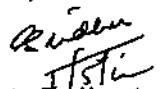
7. The appellant submits that she has filed her reply in response to show cause issued by CDPO. But she was terminated by DPO on 14.11.11 without any reasonable opportunity to be heard.

8. Perusal of the record shows that the DPO, West Champaran did not give any opportunity for the appellant to be heard.

9. From the facts indicated above, it is clear that the appellant was given several notices. Irregularities were clearly established. However before her termination she was given no opportunity to be heard. 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 Reema Devi w/o Dayanand Yadav as anganwaadi sevika of Centre no 59, at Khotahwa of Madhubani ICDS Project was terminated. She is reinstated as Sevika of centre no 59 with immediate effect.

10. 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.

  
District Collector  
West champaran