

**IN THE COURT OF COMMISSIONER, SARAN DIVISION,
CHHAPRA**

Aanganbari Revision No. 251/2012

Suman DeviPetitioner

Vs

The State of Bihar & Ors ... Respondent

ORDER

16.3.2013

The instant revision petition is directed against the impugned order passed by DM, Siwan on 13.8.2012 in Misc. Appeal Case No.13/2012-13.

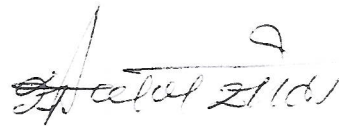
2. The facts of the case in brief are that one Suman Devi w/o Ram Naresh Prasad r/o Vill Ratanpura, PS Maharajganj, District Siwan was working as an Aanganbari Sahayika on Centre No.59. The CDPO, Maharajganj inspected the said Aanganbari Centre on 18.01.2012 at about 1.15 PM and on finding that the Sahayika was absent the matter was reported to the DPO, Siwan, who in turn issued show cause notice to the petitioner vide memo No. 283 dated 18.2.12. The petitioner filed her show cause reply explaining the reason for her absence but the DPO found the said show cause reply to be unsatisfactory, and terminated the engagement of the petitioner. Thereafter, the petitioner moved an appeal before the DM, Siwan, who in turn vide his order dated 13.8.2012 rejected the said appeal. Then on being aggrieved by the said order, the petitioner preferred this revision case before this Court.

3. Heard the parties.

4. The learned counsel for the petitioner submitted in details about the sequence of events leading to termination of petitioner's engagement as sahayika by DPO, Siwan and also about the rejection of her appeal by DM, Siwan. He further submitted that officers ought to have taken sympathetic attitude at the time of taking decision and even failed to consider the circumstances and other evidence submitted by the petitioner.

5. The learned Govt. pleader appearing on behalf of respondent submitted that there is no provision of any revision before Divisional Commissioner in the new guidelines of the ICDS, hence this revision is not maintainable here rather the petitioner can seek relief before ICDS Department.

6. A decision on this kind of issues should be taken in accordance with established norms or guidelines or rules etc. It appears the new guidelines for this purpose issued by the ICDS Directorate/ Social Welfare Department rightly delinked the Divisional Commissioner from the process of appeal/revision. The learned lawyer of the petitioner does not dispute the contention that there is no provision for revision before the Commissioner. He is at liberty to move the Department for the redressal of his grievances.. Hence the revision petition is dismissed.



(C. LALSAWTA)

Commissioner, Saran Division, Chhapra.