

GAHC010267632017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4202/2017

86, DIGIRPAM GAON PANCHAYAT and 8 ORS.
REP. BY ITS PRESIDENT HANIF ALI, VILL. DIGIRPAM, P.O. NIRALA, P.S.
BAGHBAR, DIST. BARPETA, ASSAM.

2: MIR HUSSAIN

MEMBER
ANCHALIK PANCHAYAT
ELECTED FROM SITOLI GAON PANCHAYAT
VILL- LORBORIA
P.O.- SITOLI
DIST- BARPETA
ASSAM.

3: 77
GAGIA- MEDHIRTARY GAON PANCHAYAT
REPRESENTED BY ITS PRESIDENT
MS. KHUDEJA KHATUN VILL- PATLIKUCHI
P.O.- GAGIA
DIST- BARPETA
ASSAM

4: 69
SATRAKANARA GAON PANCHAYAT
REPRESENTED BY ITS PRESIDENT
ROWSHANARA KHATUN
VILL and P.O.- SATRAKANARA
DIST- BARPETA
ASSAM.

5: 79
KADONG GAON PANCHAYAT

BARPETA REPRESENTED BY ITS PRESIDENT MRS. LILIMA KHATUN

VILL and P.O.- KADONG DIST- BARPETA
ASSAM.

6: ZAKIR HUSSAIN

MEMBER ANCHALIK PANCHAYAT ELECTED FROM 81
JANIA GAON PANCHAYAT
VILL- SALEKURA
P.O.- JANIA
DIST- BARPETA
ASSAM.

7: 78

SITOLI GAON PANCHAYAT
REPRESENTED BY ITS PRESIDENT
ABDUL KARIM
VILL and P.O.- SITOLI
DIST- BARPETA
ASSAM.

8: MS.RUKIYA BEGUM

MEMBER ANCHALIK PANCHAYAT
ELECTED FROM 88
BAGHBAR GAON PANCHAYAT
VILL- NIZ BAGHBAR
DIST- BARPETA
ASSAM.

9: 85

AGMONDIA- JADAVPUR GAON PANCHAYAT
REPRESENTED BY ITS PRESIDENT
ABUL QUASHEM
VILL- AGMONDIA
P.S.- BAGHBAR
DIST- BARPETA
ASSAM

VERSUS

THE UNION OF INDIA and 6 ORS.
TO BE REP. BY THE SECRETARY TO THE GOVT. OF INDIA, RURAL
DEVELOPMENT DEPTT., KRISHI BHAWAN, NEW DELHI-01.

2:THE STATE OF ASSAM

TO BE REPRESENTED BY COMMISSIONER and SECRETARY TO THE GOVT.
OF ASSAM
PANCHAYET and RURAL DEVELOPMENT DEPARTMENT
PANJABARI GUWAHATI- 781037.

3:DEPUTY COMMISSIONER

BARPETA
ASSAM CUM- DIST. PROGRAM COORDINATOR
MGNREGS
BARPETA
ASSAM.

4:CHIEF EXECUTIVE OFFICER

BARPETA JILA PARISHAD
BARPETA
ASSAM.

5:PROJECT DIRECTOR

DISTRICT RURAL DEVELOPMENT AGENCY
BARPETA
ASSAM.

6:BLOCK DEVELOPMENT OFFICER

MONDIA DEVELOPMENT BLOCK
P.O.- MONDIA
DIST- BARPETA
ASSAM.

7:MIS MANAGER

DRDA
BARPETA
ASSAM

Advocate for the Petitioner : MS.L WAJEEDA

Advocate for the Respondent : SC, PNRD

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 15-11-2023

1. The instant writ petition has been filed by the petitioners

who are the Gaon Panchayats represented by their President, seeking a direction upon the respondent authorities and more particularly, the Deputy Commissioner to enter the list of the approved and sanctioned works under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA) in the Management Information System (MIS) under the provisions of the operational guidelines of the said act and to ensure the payment of wages to the registered job card holders against the said works within a particular period.

2. This Court have also taken note of the Annexure – 4 series which are the representations submitted by the Presidents of the various Gaon Panchayats requesting the Deputy Commissioner who is also the District Programme Coordinator, MGNREGA, to enter the list of the approved works in the MIS to ensure payment of wages to the labourers at an early date.

3. It is on account of the non-consideration of the said representations, the petitioners have approached this Court.

4. This Court has specifically enquired with the learned counsel for the petitioner as regards the operational guidelines. However, nothing could be shown to this Court. The learned counsel however referred to the administrative sanction which stipulates that the Pre-execution and Post-execution level photographs are to be properly archived and uploaded into MIS.

5. Taking into account the above, this Court therefore directs the District Commissioner, Barpeta who is the respondent No.3 to take appropriate steps as required under the Provisions of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 as well as the

operational guidelines, if any, issued under the said Act as well as also act as per the direction so issued in the administrative sanction,.

6. With the above the instant petition therefore stands disposed of.

JUDGE

Comparing Assistant