



Serial No. 30
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 308 of 2025

Date of Decision: 24.03.2026

1. Shri Saiful Islam
2. Shri Raziul Islam

... Petitioner(s)

Versus

1. The State of Meghalaya represented by
The Commissioner and Secretary, Community & Rural Development,
Government of Meghalaya, Shillong
2. Additional Mission Director,
State Rural Employment Society, Meghalaya, Shillong
3. The Deputy Commissioner and District Programme
Co-coordinator MGNREGS Tura
4. The BDO and Programme Officer MGNREGS
Demdema C&RD Block, West Garo Hills.
5. Smti Bobita Begum,
R/o Rajpur Village, PO Bhaitbari,
P.S. Phulbari, West Garo Hills District,
Meghalaya (President of Raipur Muslim VEC)
6. Smti Smti Shahida Begum
R/o Rajpur Village, PO Bhaitbari,
P.S. Phulbari, West Garo Hills District,
Meghalaya (Secretary of Raipur Muslim VEC)
7. Smti Mogleza Begum
R/o Rajpur Village, PO Bhaitbari,
P.S. Phulbari, West Garo Hills District,
Meghalaya (Women Member of Raipur Muslim VEC)

... Respondent(s)



Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Mrs. N.G. Shylla, Sr. GA with
Mr. J.N. Rynjah, GA (For R 1-4)
Mr. S.K. Hassan, Adv. (For R 5-7)

i)	Whether approved for reporting in Law journals etc:	Yes/No
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ii)	Whether approved for publication in press:	Yes/No
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JUDGMENT AND ORDER (ORAL)

1. The petitioners who are stated to be the job card holders of Rajpur Muslim VEC, Demdema C&RD Block, West Garo Hills are before this Court complaining that with regard to the last elections to the VEC there was no notice scheduling the same, and that the election was not fair and transparent as, the same was by selection by the raising of hands.

2. Mr. P.T. Sangma, learned counsel for the petitioners has submitted that with regard to the conduct of elections and tenure of a VEC, the respondents are required to hold elections for a VEC, which has a term of 3(three) years by due election process involving all job card holders. In the present case, he submits the approval was granted to the Rajpur VEC



vide order dated 10.12.2024, wherein it is recorded that the members who were selected as new VEC Committee Members was by hand raising in a meeting. He therefore, submits that there being no notice about the elections or selections and that the elections procedure being adopted doubtful, the current VEC is liable to be dissolved and fresh elections be called for.

3. Mrs. N.G. Shylla, learned Sr. GA for the respondents Nos. 1 to 4, submits that the writ petition is without any substance, inasmuch as, due elections were conducted, and that the approval dated 10.12.2024, was as per procedure. It is further submitted that the writ petitioners instead of airing their grievances by way of a complaint before the BDO, have directly approached this Court to seek directions for fresh elections, which is untenable. It is also contended that there are no guidelines to make it mandatory for elections to a VEC, to be conducted in a specific manner, but what is necessary is that genuine job card holders are to elect or select a VEC.

4. Mr. S.K. Hassan, learned counsel for the respondents Nos. 5, 6 & 7, who are the current office bearers/functionaries of the new VEC, has submitted that there has been no mention of the impugned order dated 10.12.2024 in the Cause Title to the writ petition, but the same appears only in the prayer. He also submits that the writ petition suffers from mis-



joiner and non-joinder of necessary parties, inasmuch as, the members of Village Monitoring Committee, which oversee the functions of the VEC, were also not arrayed as parties. He further submits that the selection of the VEC was with due process, and arrived at a Gram Sabha meeting, whereby the new VEC members were elected by consensus, by the raising of hands. He therefore, submits that no interference is called for and the writ petition is liable to be dismissed.

5. On hearing the learned counsel for the parties and on a bare perusal of the materials, it is noted that the current VEC of Rajpur has obtained its approval since 10.12.2024, and as per the submissions is functioning till date. The submission of the learned Sr. GA is noted that the writ petitioners though job card holders had never approached the BDO at any point of time, with regard to any complaint against the said elections.

6. Therefore, in these circumstances, it is difficult to ascertain as to whether the complaint of the writ petitioners is founded on any substantial materials, inasmuch as, in the usual course on a complaint being made, the BDO concerned, would conduct an enquiry as to the veracity of a complaint made by aggrieved persons.

7. The only fact that deserves attention is that there was no notice or schedule with regard to the holding of meeting of the job card holders



to select the VEC, and it appears that the same was arrived at a meeting of Gram Sabha held on 03.11.2024, and the selection was also by the raising of hands of the job card holders.

8. Be that as it may, though no ground for interference has been made out, it is expected that the BDO, MGNREGS, at least for the sake of transparency should ensure that notice is circulated before a meeting is held for selection of a VEC to enable participation of all job card holders,, and further that the manner of elections or selections should be transparent and recorded to avoid future disputes.

9. The writ petition on these observations is closed and accordingly disposed of.

JUDGE

Meghalaya
24.03.2026
"V. Lyndem-PS"