

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13875 of 2014

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Shyamdeo Gautam son of Jhapsi Rajak R/o Village Barai, P.O.- Adai, P.S. Anti
(Konch), District Gaya

.... Petitioner

Versus

1. The State of Bihar
2. Commissioner, Gaya Division, Gaya
3. Collector, Gaya
4. Deputy Development Commissioner, Gaya
5. Subdivisional Officer, Tekari, Gaya
6. Anchal Adhikari, Konch, Gaya

.... Respondents

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Appearance :

For the Petitioner : Mr. Srinandan Prasad Singh, Advocate
Mr. Manish Kumar ,Advocate

For the Respondents : Mr. Anjani Kumar,AAG –VI
Mr. Shailendra Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-03-2015

The petitioner seeks a direction to the Respondents and

in particular Collector, Gaya District to cause an enquiry into the

execution and implementation of the Mahatma Gandhi National

Rural Employment Guarantee Scheme (for short 'the

Scheme').The petitioner alleges that several irregularities had

taken place in the implementation of the Scheme in the District

and still no action has been taken by the Respondents.



Heard Sri Srinandan Prasad Singh, learned counsel for the petitioner and Sri Anjani Kumar, Additional Advocate General VI for the Respondents.

The petitioner no doubt has certain concern over the implementation of the Scheme. The fact however, remains that the Scheme itself is a fertile source for irregularities and hardly there exists any place in the country where the Scheme is implemented honestly and in accordance with the stipulated parameters. Deliberately, the framers of the Scheme kept it outside the purview of the regular audit Departments, or other supervisory agencies. A typical concept known, as social audit was invented and the experience only shows that the so-called social audit is nothing more than a mechanism for approval of the patent irregularities committed by the operators of the Scheme.

Be that as it may, in CWJC No. 10373 of 2011 this Court directed that a committee shall be constituted to enquire into the matter. If such a Committee is constituted, it shall be open to the petitioner to move the Committee for redressal of

his grievances and the Committee shall pass necessary orders after taking into account the allegations made by the petitioner.

The writ petition is disposed of with the aforesaid observation.

Interlocutory Application, if any, stands disposed of. There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

Chandran/Md.Ibrarul

(Vikash Jain, J)

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