

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6340 of 2016

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Manoj Kumar Sahani, Son of Hasnu Sahni, resident of Village Begam Sarai, Police Station Bachhwara, District Begusarai.

.... Petitioner/s

Versus

1. The Union of India through its Principal Secretary, Rural Development Department, Government of India, New Delhi.
2. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Bihar, Patna.
3. The Director, P.M.U., Bihar State Water and Sanitation Mission, Patna, Bihar.
4. The District Magistrate, Begusarai.
5. The Executive Engineer-cum-Member Secretary, District Water and Sanitary Committee, Begusarai.
6. The Sub-Divisional Magistrate, Teghra, Begusarai.
7. The B.D.O. Bachhawara, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

For the Union of India : Mr. S. D. Sanjay, Addl. S.G.
Mr. Ram Anurag Singh, CGC

For the Respondent/s : Mr. S. D. Yadav, AAG IX

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 22-08-2017

The grievance of the petitioner in this writ petition is that the Gram Panchayat in question, namely Gram Panchayat Rani-2 in Block Bachhawara, District- Begusarai was declared as the Nirmal Gram Panchayat in the year 2010, but privileges attached to the said Scheme, based on which the declaration has been made are not conferred on the Gram Panchayat in question.

Respondent No. 7 has filed a return and it indicates that the Scheme has been implemented by the Union of India, certain



queries were made by the Block authorities with regard to implementation of the Scheme and the Union of India has issued the guidelines in this regard.

The State Government has filed a detailed reply and they say that they have no hesitation in implementing the Scheme and process of the implementation shall be undertaken.

However, the fact remains that the Block Development Authority and the District Magistrate who are required to implement the scheme have not taken any step and the representations filed by the petitioner have failed on deaf ear.

Keeping in view the fact that the Gram Panchayat has been declared as Nirmal Gram Panchayat and there is no dispute with regard to the same, we direct the District Magistrate and the Block Development Officer to look into the grievance of the petitioner and ensure that all consequential benefits flow from the scheme are implemented, particularly with regard to construction of toilet and other amenities, in the village in question within a reasonable period. It would be the responsibility of the District Magistrate, Begusarai to implement the scheme of the Government of India as is evident from the counter affidavit filed by respondent No.7 which indicates that the Principal Secretary of the Department, respondent No.2 has been directed to look into the matter and we direct respondent No.2 to



supervise the implementation of the provision of the Scheme for the Gram Panchayat in question.

With the aforesaid, the matter stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.08.2017
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