

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9569 of 2017

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Anil Kumar Singh, Son of Late Dwarika Prasad Singh, resident of Village Dewaka Kaithi, P.S. Chautham, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Cooperative Department, Govt. of Bihar, Patna.
3. The Managing Director- cum-Nodal Officer, Govt. of Bihar, Patna.
4. The District Magistrate, Khagaria.
5. The Sub-Divisional Officer, Khagaria.
6. The Deputy Collector Land Reforms, Khagaria.
7. The District Cooperative Officer, Kagaria.
8. The District Supply Officer, Khagaria.
9. The Circle Officer, Chautham, Khagaria.
10. The Block Cooperative Officer, Chautham, Khagaria.
11. The Director- cum-Nodal Officer of Surplus Paddy Acquisition.
12. The Director- cum-District Rural Department Officer, Khagaria.
13. The District Manager-cum-Godown Incharge, Bihar State Food Corporation Ltd., Khagaria.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
For the State : Mr. Rajeev Shekhar, A.C. to A.A.G.-13
For the B.S.F.C. : Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 15-09-2017

Heard learned counsel appearing for the respective parties.

2. In this case, the petitioner is claiming outstanding dues



of Rs.20,91,552/- against the supply of C.M.R. in terms of the State Policy.

3. As per the scheme of the Central Government, the paddy is to be procured through different agencies, P.A.C.S. is one of the agencies, has been authorized to procure paddy. The rate and period of procurement, time to time, is notified by the State Government on the advice of the Central Government. Certain procedure is to be followed for procurement so that in actuality the farmers should really be benefited of the scheme floated by the Central Government, which has been accepted by the State Government. The interested farmers have to be enrolled themselves and P.A.C.S. are short listed to supply paddy. The paddy which are procured from the farmers, used to be given to the miller and the miller, in turn, supplies the C.M.R. to the Corporation.

4. The petitioner is the Chairman of the P.A.C.S., as per the statement he has purchased the paddy and in turn, supplied the same to the miller. As per the learned counsel for the petitioner he has deposited the C.M.R. through the rice miller, but the payment has not been received though he has paid the amount to each farmer whose paddy have been procured through the P.A.C.S.



5. As per the Bihar State Food Corporation for entitlement of the amount, the P.A.C.S. has to follow certain norms and for entitlement has to produce certain documents, which has been fixed by the Central Government and accepted by the State Government and primarily three documents are very important; first, details of RTGS/NEFT reflecting money has been transferred to the respective farmers, second, the list of farmers who have registered themselves as intending farmer for supply of paddy and third the challans of the vehicles, showing paddy supplied to miller. On satisfaction of aforesaid three ingredients, the P.A.C.S. will get the money.

6. Let the petitioner produce all the documents before the Managing Director, Bihar State Food Corporation. If the Managing Director satisfies that in fact the petitioner is the person, who has procured the paddy from the respective farmers, who have got themselves enrolled and the money has been transferred to their respective accounts so much so the petitioner produces the RTGS/NEFT note, the admitted amount will be paid to the petitioner as early as possible.

7. For convenience, the petitioner is directed to file an application, attaching the order of this Court as well as the relevant



documents supporting the claim of the petitioner before the Managing Director. The entire exercise should be completed by the Managing Director within a period of three months from the date of filing of application by the petitioner.

8. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	21.09.2017
Transmission Date	N/A.

