

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14652 of 2017

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Shravan Kumar, Son of Late Yogi Rai, Resident of Village- Sundargama, P.S.-
Parsauni, District- Sitamarhi.

.... Petitioner

Versus

1. The Union of India through Chief Secretary, Ministry of Rural Development Department, New Delhi.
2. The State of Bihar through Principal Secretary, Ministry of Rural Development Department, Patna.
3. The Chairman, District Rural Development Agency, Sitamarhi.
4. The District Magistrate, Sitamarhi.
5. The Deputy Development Commissioner, Rural Development Agency, Sitamarhi.
6. The District Programme Coordinator, Sitamarhi.
7. The Block Development Officer, Parsauni, Sitamarhi.
8. The Circle Officer, Anchal Office, Parsauni, Sitamarhi.
9. Lal Babu Paswan, Mukhia, Gram Panchayat Raj, Madanpur under Parsauni Block, District- Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Respondent/s : Mr. Vinay Kriti Singh -GA2

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-04-2018

Inter alia contending that the Mukhiya of the
Gram Panchayat Raj, Madanpur under the Parsauni Block,
District of Sitamarhi and concerned Officer have committed
malpractice in implementing the schemes approved under the
Mahatma Gandhi National Rural Employment Guarantee Act



(called in short “MANREGA”) and the fund for the purpose of the scheme have been misappropriated, the present public interest litigation has been filed by the petitioner, who is Ward Member of the Gram Panchayat Raj, Madanpur.

It is the contention of the petitioner that large scale irregularities have been done in the matter of payment to the workers, in fact the workers who did not engage in the activities under the MANREGA scheme have been paid. They have been engaged in the name of digging pits but these pits failed to hold the water for long and the government has been billed even for these useless pits. It is submitted that in the work allocation process carried out by the Gram Panchayat and in implementation of the schemes huge public fund is being misappropriated, and the purpose of the Act is being grossly defeated.

Having heard learned counsel for the petitioner, we are of the considered opinion that a complaint relating to various illegalities and financial irregularities committed in execution of MANREGA scheme may be brought to the knowledge of Development Commissioner, Chairman of the Committee. In terms of MANREGA scheme, there is a provision for resolution of disputes and to cause enquiry by the State Level Monitoring Committee and thereafter by a further



Committee envisaged under the Scheme. Earlier also a co-ordinate Bench of this court in the case *Vijay Shahi and others Vs. The Union of India and others reported in 2014(4) PLJR 108*; had relegated the parties to take recourse to the remedy of representing to the Development Commissioner, Chairman of the Committee.

The petitioner is also granted liberty to represent to the Development Commissioner, Chairman of the Committee constituted under the scheme and the Committee is directed to look into the grievance of the petitioner and proceed in accordance with law.

It is also directed that in case a complaint is made before the Statutory Grievance Redressal Committee, the same shall be dealt with and decided by the Committee, preferably within six months from its presentation along with a copy of this order.

This writ application is disposed off.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.04.2018
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