

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5670 of 2018

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Md. Ahteshamul Haque Ansari S/o Late Sayeeduddin Resident of Village-
Laruara, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary Department of Labour and Human Resources Govt. of Bihar, Patna.
3. Welfare Commissioner, Patna.
4. Collector, Begusarai.
5. Labour Superintendent, Begusarai.
6. The Union of India through the Secretary, Ministry of Labour and Employment, Govt. of India, New Delhi
7. Director General Labour Welfare Govt. of India, Jaisalmer House, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ebrahim Kabir, Adv. Mr. Shruti Sinha, Adv.
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, AAG10 Mr. Shushil Kumar Singh, A.C. to AAG 10

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

6 26-08-2019 This public interest litigation has been filed for the purposes of giving direction to the authority concerned to release the second installment for completion of the respective houses of the Bidi Mazdoors who are engaged in the rolling of Bidi as has been stated in the petition that 1048 Bidi Mazdoors have been identified in the district of Begusarai in terms of the



Scheme of the Central Government, each Bidi Mazdoor would be provided Rs.40,000/- for the purposes of construction of their respective houses and Rs.4000/- would be granted by the State Government. As has been submitted by the learned counsel for the petitioner, 1048 persons were granted first installment and 1022 beneficiary have also submitted the utilization certificate and they are waiting for second installment. A prayer has been made that they are low income persons, if second installment would not be released in time, it will turn to wastage of Government money.

In the counter affidavit filed by the respondent no.2 and in paragraph 6 in specific term it has been stated that 664 persons were given the first installment, out of them 278 beneficiaries have submitted the utilization certificate but the Central Government has directed for necessary enquiry and after obtaining the report, the second installment would be released to them from the Central Government, accordingly, the same would be paid.

Let the District Magistrate should constitute a Committee of three members, at least one member of Committee should be of the level of Additional Collector. The Committee would make inspection of site, would verify the



status of utilization of money which has been given to the beneficiaries. On receipt of the report if it is found that the utilization certification of 278 persons is a genuine in such circumstances we direct that the second installment should also be paid to them. Those who are found, money paid, has not been utilised by them, a necessary action would be taken against them, similarly, if the utilization certificate is found to be fake but not genuine, then the necessary action should be taken against the concerned Bidi Mazdoor.

With this observation we dispose of this writ petition.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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