

April 26, 2023
Sl. No.3
Court No.19
s.biswas

WPA 14007 of 2022

Nasima Molla

vs.

The State of West Bengal and others

Mr. Satyajit Mondal,
Mr. Amt Bikram Mahata, Advocates

... for the petitioner

Mr. Anwari Quraishi,
Mr. Zainab Tahur, Advocates

... for the State

The contention of the petitioner is that although he was engaged as a supervisor sometime in February, 2015 by Deulbari-Debipur Gram Panchayat under the MGNREG Scheme, no payments have been made by the gram panchayat.

Aggrieved, the petitioner approached the Block Development Minister, Kultali Development Block.

The Block Development Officer, Kultali Development Block, by a communication dated February 28, 2022, intimated the Pradhan, Deulbari-Debipur Gram Panchayat, that existing supervisors should not be replaced and the guidelines with regard to the engagement of such supervisors under the MGNREG Scheme, should be followed.

The Block Development Officer, Kultali Development Block, has filed a report before the Court, in the form of instructions to the learned advocate. It appears from the said report, that engagement of the petitioner as a supervisor had never been discontinued by the gram panchayat. A letter of the Pradhan, Deulbari-Debipur Gram

Panchayat, along with all supporting documents indicating that the 25 job card holders at a time had never been engaged in the execution of any work under MGNREG Scheme, has been annexed. The supervisor did not get any financial assistance from the gram panchayat because no scheme under the MGNREGS had been implemented by the said gram panchayat, in which the 25 job card holders were engaged at a time.

As per the MGNREGS guidelines, a supervisor looks after the work of the 25 job card holders and gets a commission for such work. If there were no jobs executed under MGNREG Scheme by the gram panchayat, in which 25 job card holders were involved, the supervisor would not have any role and as such the payment could not have been made to the petitioner.

Accordingly, the writ petition is disposed of without any orders in favour of the petitioner. However, the gram panchayat shall act strictly in accordance with the MGNREGS guidelines and ensure that the direction of the Block Development Officer, Kultali Block is followed in future.

All the parties are directed to act on the basis of server copy of this order.

(Shampa Sarkar, J.)