

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16681 of 2019

Ranjeet Pandit Son of Parsuram Pandit Resident of Village-Gajipur, Police Station-Ufroul, via Deshri, District-Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary Police (Home) Department, Government of Bihar, Patna
3. The Principal Secretary General Administration Department, Government of Bihar, Patna
4. Principal Secretary Education Department, Government of Bihar, Patna
5. The Principal Secretary Urban Development Department, Government of Bihar, Patna
6. The Principal Secretary Social Welfare Department, Government of Bihar, Patna
7. The Principal Secretary SC/ST Welfare Department, Government of Bihar, Patna
8. The Principal Secretary Health Department, Government of Bihar, New Secretariat Building, Bailey Road, Patna
9. The Principal Secretary Backward Class Welfare Department, Government of Bihar, Patna
10. The Principal Secretary Rural Development Department, Government of Bihar, Patna
11. The Principal Secretary Finance Department, Government of Bihar, Patna
12. The Principal Secretary Cooperative Department, Government of Bihar, Patna
13. The Principal Secretary Disaster Management Department, Government of Bihar, Patna
14. The Principal Secretary Industry Department, Government of Bihar, Patna
15. The Principal Secretary Animal Husbandry Department, Government of Bihar, Patna
16. The Principal Secretary Sugarcane Department, Government of Bihar, Patna
17. The Principal Secretary Energy Department, Government of Bihar, Patna
18. The Principal Secretary Planning Department, Government of Bihar, Patna
19. The Principal Secretary Labour Department, Government of Bihar, Patna
20. The Principal Secretary Public Health Engineering Department, Government of Bihar, Patna
21. The Principal Secretary Water Resources Department, Government of Bihar, Patna
22. The Principal Secretary Information Technology Department, Government



of Bihar, Patna

- 23. The Principal Secretary Science and Technology Department, Government of Bihar, Patna
- 24. The Principal Secretary Art and Culture Department, Government of Bihar, Patna
- 25. The Principal Secretary Minority Department, Government of Bihar, Patna
- 26. The Principal Secretary Rural Works Department, Government of Bihar, Patna
- 27. The Principal Secretary Law Department, Government of Bihar, Patna
- 28. The Principal Secretary Home Department, Government of Bihar, Patna
- 29. The Principal Secretary Cabinet Department, Government of Bihar, Patna
- 30. The Principal Secretary Environment and Forest Department, Government of Bihar, Patna
- 31. The Principal Secretary Revenue Department, Government of Bihar, Patna
- 32. The Principal Secretary Tourism Department, Government of Bihar, Patna
- 33. The Union of India through Honorary Secretary, Ministry of Home, New Delhi
- 34. The Deputy Secretary to the Government Police (Home) Department, Government of Bihar, Patna
- 35. The Director General of Police Bihar, Patna
- 36. The Director Central Bureau of Investigation, New Delhi
- 37. The Accountant General Bihar, Patna

... .. Respondent/s

Appearance :		
For the Petitioner/s	:	Mr. Arvind Kumar Sharma, Advocate
For the State	:	Mr. Sumant Kumar Singh, GA-2
		Mr. Vinay Kirti Singh, AC to GA-2
		Mr. Kunal Tiwary, JC to GA-2
For the CBI	:	Mrs. Nivedita Nirvikar, S.S.C.-CBI
For the AG	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Ms. Supragya, Advocate
		Mrs. Shashi Priya, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

22 05-07-2024 The Public Interest Litigation was filed alleging that

the government officers are not submitting the Utilization



Certificate for the funds disbursed by the Government and hence it was also alleged that there is scope for defalcation and misuse of public land.

2. After the Public Interest Litigation was filed, much has been done, and the responses from the Government as also the Office of the Accountant General were filed. As of now, we refer specifically to the supplementary counter affidavit dated 24.06.2024, filed on behalf of the Accountant General. Pursuant to the order dated 26.04.2024 in the writ petition, the supplementary counter affidavit was filed specifically indicating the submission of the Utilization Certificate. We extract paragraph nos. 4 to 7 of the supplementary counter affidavit:-

4. That a total sum of Utilization Certificates amounting to Rs. 71,730.93 Crores was pending with the State Government for adjustment on 31-12-2023 and Providing Grand In Aid is an ongoing process thus from 01-01-2024 (i.e. upto 05/2022) to 30-04-2024 (i.e upto 10/2022), fresh addition in grants in aid is 19092.22 crore.

5. That Total sum of Utilization Certificates amounting to Rs 18687.98 crore have been adjusted between 01-01-2024 to 30.04.2024 and Utilization Certificates amounting to Rs 72135.17 Crore as on 30.-04.2024 (i.e upto 10/2022) is currently pending with the State Government for which process of adjustment is to be taken up by the State Government.

6. That total sum of Utilization



Certificates amounting to 17650.83 crore has been adjusted before due date (i.e before 18 months) between January 2024 to April 2024 and thus these Utilization Certificates will not be a part of pending Utilization Certificates in future.

7. That total sum of Utilization Certificates amounting to Rs 1526.98 are under process at this office level and the office had sent a monthly report to the Finance Department. Accountant General had also issued Demi- Official letters to top ten departments having outstanding Utilization Certificates as well as Finance Department for expediting submission of Utilization Certificates and letters has also been issued vide letter no GIA/1/2024-25/143 TO 153 dated 23.04.2024.

3. The documents referred to in the above paragraph nos. 5 and 7 have also been produced as Annexure-G and Annexure-H series.

4. We are of the opinion that the grievance of the petitioner stands substantially redressed.

5. The writ petition, hence, stands closed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

U			
---	--	--	--

