

July 3, 2024  
Sl. No.A 251  
Court No.9  
s.biswas

WPA 5009 of 2023

*Mr. Ram Murti and another*  
*vs.*  
*Union of India and others*

Mr. Abhishek Halder  
Mr. Swadesh Misra  
Ms. Madhurima Basu

... for the petitioners

Mr. Debasish Basu  
Mr. Tirthapati Acharyya

... for the Union of India

Mr. Surya Prasad Chattopadhyay  
Mr. Rahul Karmakar

... for the respondent nos.2, 3 and 4

1. The petitioners challenge inaction on the part of the Secretary, National Jute Board in releasing the petitioners' claims towards subsidy. Such claims were made after completion of the project of construction of two Sulabh Sauchalayas. The terms and conditions of the offer letter grated in favour of the petitioner is quoted below:

“Please refer to your correspondence dated 24.10.2016 on the above subject, we are pleased to note that you have already initiated the steps for construction of three Sulabh Sauchalayas, out of which two inside the Mill premises and one outside the Mill premises at titagarh, 24 Parganas (N) by M/s Sulabh International Social Service Organisation.

I am to convey the in-principle approval of the Board to the construction of two Sulabh Sauchalayas at a project cost of Rs.59,98,986/-. The approval is valid for 6 months from the date of issue.

A copy of the work order, copy of your cheques for the first instalment and the receipt of the same may please be sent to this office for necessary processing at our end.

National Jute Board will reimburse 90% of the above cost subject to a maximum

reimbursement of Rs.60.00 lakh, on submission of claim in the enclosed format along with bills/vouchers and satisfactory report of physical verification of the site where sanitation facilities to the workers have been provided.”

2. The petitioner assigned the work to M/s. Sulabh International Social Services Organization. Such arrangement was permissible under the scheme availed of. According to the authority, the project was completed in December and beyond three months from the designated time for completion.
3. The petitioner contends that an inspection was held and completion of the project was noted as December 16, 2017. The approval was received on March 6, 2017. Although, the approval was for a period of six months, the offer letter did not mention that the project should be completed within six months, or else the benefit under the scheme could not be availed of.
4. Accordingly, the petitioner contends that upon completion of the project, subsidy should be disbursed in favour of the petitioner. The petitioner approached the authorities, but to no avail.
5. The specific contention of the petitioner is that neither the scheme nor the offer letter indicated that failure to complete the project within six months from March 6, 2017, would disentitle the petitioner to the subsidy.

6. Under such circumstances, the writ petition is disposed of, directing the Secretary, National Jute Board to treat the writ petition as a representation and dispose of the same, in accordance with law. The authority will grant a hearing to the petitioner and pass a reasoned order, by deciding the claim for subsidy under the NJB Schemes for Workers' Welfare in the Jute Sector. A reasoned order shall be communicated to the petition, within three months from the date of communication of the order.
7. The writ petition stands disposed of.
8. All the parties are directed to act on the basis of the server copy of the order.

**(Shampa Sarkar, J.)**