

18.09.2024.
PB
Sl. No.2216.
Ct. No.15

WPA 10876 of 2022

Sri Uttam Khatua
Vs
The State of West Bengal & Ors.

Mr. Amit Bikram Mahata.
... For the Petitioner.

Mr. Bhabani Prasad Mondal,
Mr. Sukanta Mondal.
.....For the respondent no.11.

Mr. Debjit Mukherjee,
Ms. Rupsha Chakraborty.
.....For the State.

The petitioner was appointed as a Social Audit Volunteer in 2014 in connection with Mahatma Gandhi National Rural Employment Guarantee Scheme. Subsequently, the State decided that Social Audit Volunteers would be engaged in Vector Borne Disease Control Programme along with conducting social audit for a minimum of 20 days each month throughout the year.

Again, by a Memo No.14/23-PRD-14011
(11)/1/2020-SPHC-ACC-Dept dated January 15,

2021, issued by the Special Secretary of the Panchayat and Rural Development Department, it was decided that the Vector Borne Disease Control team would be engaged for 30 days per month throughout the year. The working certificate was required to be signed by the Pradhan of the Gram Panchayat. It is noted that the petitioner was also engaged as an “Awas Bandhan Facilitator” in the Pradhan Mantri Awas Yojana Scheme.

The petitioner alleges that he is not being permitted to sign the attendance register of the Gram Panchayat though he is discharging his duties.

In response to the allegations made in the writ petition, a report has been filed by the Block Development Officer of the Pathar Pratima Development Block. The report indicates that the petitioner served as a Social Audit Volunteer in the Vector Borne Diseases Project and participated in field surveys within the concerned Gram Panchayat on a no work, no pay basis. However, the petitioner abruptly ceased work in March, 2022.

The Panchayat learnt from the petitioner’s family members that he had been out of station for a case related matters, during which time he neither communicated with the Gram Panchayat office nor

resumed his work. Presently, the petitioner is not assigned any work.

The disputed facts involved in this case cannot be resolved by this Court. Therefore, I direct the Block Development Officer of the Pathar Pratima Development Block to convene a meeting with the petitioner and the Pradhan of Lakshmi Jahar Gram Panchayat.

The Block Development Officer, after hearing both the petitioner and the Pradhan, shall address the issue whether the petitioner voluntarily left his post. If the Block Development Officer finds that the petitioner voluntarily left the job, no further action will be necessary. If the Block Development Officer concludes that the petitioner was unlawfully prevented by the Panchayat from performing his duties despite his willingness to work, necessary orders will be issued to enable the petitioner to resume his duties and receive his honorarium in accordance with the law. This entire process shall be completed within three months from the date of communication of this order.

With these observations and directions, **WPA 10876 of 2022** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)