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**(2014) 03 PAT CK 0062**

**Patna High Court**

**Case No:** C.W.J.C. Nos. 1102, 1914, 1916, 1918, 2722 and 3000 of 2014

Vijay Shahi

APPELLANT

Vs

The Union of India

RESPONDENT

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**Date of Decision:** March 11, 2014

**Citation:** (2014) 4 PLJR 108

**Hon'ble Judges:** Vikash Jain, J; Navin Sinha, J

**Bench:** Division Bench

**Advocate:** Manoj Kumar, Advocate for the Appellant; Manoranjan Kumar, Advocate for the Respondent

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### **Judgement**

@JUDGMENTTAG-ORDER

Navin Sinha, J.

In this batch of Public Interest Litigations the common issue is with regard to alleged improprieties, defalcation and embezzlement of public funds under the MGNREGA Scheme. A Division Bench of this Court in CWJC 10370 of 2011 has already given directions for constitution of a State Level Monitoring Committee. The affidavit-of the Chief Secretary filed today, states that a State Level Committee has been constituted consisting of eight persons headed by the Development Commissioner as its Chairman to examine complaints at the State Level. The Committee has been empowered to examine grievances and provide redressal. It can also order enquiry on complaints received and give appropriate directions based on the enquiry report along with recommendation for improvement. The main refrain in all these applications was that notwithstanding with the constitution of the State Level Committee, matters were not being appropriately dealt with by the Committee. Perhaps, the petitioners do not appear to be completely wrong. If we take CWJC 1102 of 2014 as the lead case, the petitioner alleges to have filed a complaint before the State Level Committee on 23.9.2013. The writ petition was then filed on 13.1.2014 alleging inaction. The Counter Affidavit filed today by the Director (Accounts, Administration and Self-Employment) D.R.D.A., West Champaran at

Bettiah states that enquiry has been ordered on 20.2.2014 even prior to the lodging of the Complaint. We express no opinion on that matter.

2. We have gone through the detailed counter affidavit of the Chief Secretary which leaves us satisfied with regard to the fact that the authorities are alive to the issue and appear to be in the process of examining complaints and taking action also.

3. We therefore direct that any aggrieved may file a representation before the Development Commissioner who is the Chairman of the Committee. The complaint must contain essential details and must not be in the nature of a roving and fishing enquiry. He shall be given an acknowledgement of his complaint. The Committee shall examine the complaint appropriately and even have enquiries made at its satisfaction along with recommendations. We expect the Committee to reasonably dispose of the complaints in accordance with law within a maximum period of three months from the date of institution of the complaints. The writ applications are disposed with the aforesaid directions.