

18.04.2024
Item Nos.55-56
gd/ssd

WPA(P)/237/2023
PASCHIM BANGA KHET MAZDOOR
SAMITY AND ANR.
VS
UNION OF INDIA AND ORS.
with
WPA(P)/555/2022
SUVENDU ADHIKARI
VS
STATE OF WEST BENGAL AND ORS.

Mr. Purbayan Chakraborty,
Mr. Kuntal Banerjee
..for the Petitioners in
WPA(P)/237/2023.

Mr. Srijib Chakraborty,
Mr. Anish Kumar Mukherjee,
Mr. Suryaneel Das
..for the Petitioner in
WPA(P)/555/2022.

Mr. Asok Kumar Chakraborti, learned ASGI,
Mr. Kumar Jyoti Tiwari,
Mr. Tirtha Pati Acharya,
Mr. Arijit Majumdar
..for the Union of India.

Mr. Anirban Ray,
Mr. Jahar Lal De,
Mr. Piyush Agarwal,
Mr. Supratim Dhar,
Ms. Parna Roy Chowdhury,
Ms. Shrivalli Kajaria,
Mr. Debojyoti Das
..for the State.

Mr. Dhiraj Trivedi,
Mr. Ayanabha Raha
..for CBI.

Mr. Suman Basu
..for the Respondent No.6 in
WPA(P)/555/2022.

1. Reference may be made to the operative
portion of the order dated 18.01.2024 reads as follows:

“3. Thus, it appears that the Team on verification found certain bogus claims have been made and recovery said to have been effected. If that be so, it is not clear as to whether the amount so recovered has been disbursed to the genuine card holders and/or there are any road blocks in doing so. The matter has been lingering before this court for a quite long period of time and this court is of the firm view that a genuine verification process has to be done district-wise by a Team of four officers, one to be nominated by the Central Government, one to be nominated by the State Government and one officer from the office of the Auditor and Comptroller General as well as one officer from the office of the Accountant General. This Team to be constituted shall do the verification on a district-wise basis and in each district the verification can be done at the sub-divisional levels so that the Team can visit those Sub-Divisions and the matter can be resolved at the earliest.

4. On the next hearing date the Central Government and the State Government shall furnish the names of the officers who are to be nominated to the Team as well as the officer from the office of the Auditor and Comptroller General as well as one officer from the office of the Accountant General. This four-member Team will be constituted after the names are furnished to this court who will undertake the verification process as expeditiously as possible.”

2. The learned Additional Solicitor General has suggested three names: an officer from the office of the Auditor and Comptroller General of India, one nominee from the Ministry of Rural Development, Government of India and one officer from the office of the Principal Accountant General, Audit-I, Government of West Bengal.

3. The learned Government Pleader appearing for the State submitted that a State Government

nominee is also required to be included and it is suggested that the Commissioner, Mahatma Gandhi NREGS, West Bengal can be part of the Enquiry Team.

4. Considering all these aspects, the four-Member Team shall consist of (1) a senior officer from the office of the Auditor and Comptroller General of India, (2) one officer from the Ministry of Rural Development, Government of India, (3) one officer from the Principal Accountant General, Audit-I, Government of West Bengal, and (4) the Commissioner, Mahatma Gandhi NREGS, West Bengal.

5. The respective Heads of Departments are at liberty to nominate the officers in respect of the first three categories and since the 4th Member has been included by designation whoever occupies the position will be the 4th Member.

6. The Chief Secretary of the Government of West Bengal is directed to nominate a Nodal Officer who will coordinate the meetings of the Committee and select such officer bearing in mind the Cadre from which the four nominees to the Committee come from. Adequate office arrangement shall be made to the Committee. The State shall ensure their free movement throughout the State for the purpose of verification and whenever the verification process commences in a particular district, the District Magistrate of the concerned district and the District Administration and

the Police Administration shall ensure full cooperation to the Team to undertake the verification process smoothly. Necessary security arrangement shall also be made for the Team when they visit the various districts.

7. A report be filed on the next hearing date as regards the progress of the matter.

8. The reports having prepared by the Central Government Authorities or the State Government Authorities shall also be placed before the Committee.

9. List these matters on 4th July, 2024.

(T. S. SIVAGNAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)