

WPIL No. 169 of 2015

Hon'ble Rajiv Sharma, J.

Hon'ble Lok Pal Singh, J.

Mr. B.S. Adhikari, Advocate for the petitioner.

Mr. S.S. Chauhan, Dy.A.G. for the State.

The Central Government has launched a Scheme called "Swachh Bharat Mission (Gramin)" on 02.10.2014. The incentive was provided under the mission for the construction of individual household toilets. These were to be made available to the BPL household and persons living below Poverty Line. The incentive of Rs.12,000/- was to be given for the construction of one unit, which was to be shared by the Central Government and the State Government in the ratio of 75% : 25%.

In each district, Swachh Bharat Mission was launched. The Project Manager after verifying the B.P.L holders and their construction work was to sanction the money. Thereafter, it was to be transferred to the account of the Gram Panchayats. Many villagers have made a complaint to the District Magistrate that the amount released/sanctioned under the Mission was miss-utilized by the authorities. Only few toilets were built. Money was also released in favour of the dead persons. The matter was looked into and enquired by the Tehsildar, Vikas Nagar. He submitted a very comprehensive and elaborate report highlighting the misappropriation of the funds meant specifically for construction of toilets. This report is dated 30.05.2013. We are in 2018.

The counter affidavit has not been filed by the State Government. It was expected from the State Government to

take appropriate action on the report dated 30.05.2013. The money released was to be utilized for the construction of toilets. This money was meant for poorest of the poor and also to help the weaker sections of the society including people belonging to Scheduled Castes and Scheduled Tribes. A sum of Rs.12,000/- was to be released to every household.

The Swatch Bharat Mission 2014 is the most laudable project undertaken by the Central Government and the State Government for maintaining high level of hygiene and cleanliness in the urban/rural areas. The very purpose of the scheme has been frustrated by the functionaries of the State Government. It was incumbent upon the authority concerned to ensure construction of toilets on the basis of the money sanctioned by the Central Government.

Accordingly, present writ petition is disposed of with the direction to the Chief Secretary of the State of Uttarakhand to take decision/action on the report dated 30.05.2013, within a week.

The Senior Superintendent of Police, Dehradun is also directed to register an FIR against the persons, who have misappropriated the public funds as per the details given in the report dated 30.05.2013.

The respective Head of the Departments are directed to initiate disciplinary proceedings against the persons who were indicted in the report dated 30.05.2013 within two weeks.

(Lok Pal Singh, J.)

(Rajiv Sharma, J.)

15.06.2018