

(2011) 03 JH CK 0216

In the Jharkhand High Court

Case No : Writ Petition (PIL) No. 858 of 2009

Citizens' Cause

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 30-03-2011

Acts Referred:

Citation : (2011) 03 JH CK 0216

Hon'ble Judges : Bhagwati Prasad, C.J;Dhirubhai Naranbhai Patel, J

Bench : Division Bench

Judgement

1. This case comes up on a prayer by the Petitioner where sanction for prosecution was required to be granted by the State Government. The apathy and mal-functioning of the officers of the State is so widely observed that but for their indifference, so may wrongs have been committed in the city - few of them have been noticed in recent past including widespread encroachments, construction on such lands which did not belong to the builders, though building plans have not been sanctioned, buildings have been erected and where building plans have been sanctioned, the sanctioned plans have been violated.

2. Today's newspaper the "Prabhat Khabar" reports that few of the ponds, which were existing in this town, have disappeared. All these could not have happened without the connivance, tacit consent or some kind of such considerations, which required suitable punishment for such officers. It is heartening to note that this petition for sanction of prosecution of the officers was filed in the year 2009, down the lane two years, the case is still under consideration of the State Government. During this period, there must be many other such requirements of granting sanction.

3. The State Government is directed to file its report as to why and under what circumstances such prosecution has not been sanctioned as yet.

4. Another aspect which is also pending consideration of the Court is that after the report of the Vigilance Bureau of the State, the State Government has so far

not cared to lodge the F.I.R against the erring officers. Such F.I.Rs could have been registered by this time and the investigation would have resulted into some findings.

5. The State Government should also file its response on this issue as to why such F.I.Rs. have so far not been lodged. Put up on 4th April, 2011.