

GAHC010062142021



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/23/2021**

AMGURI NABA NIRMAN SAMITY  
HAVING ITS REGD. OFFICE AT AMGURI NAGAR, WARD NO.4, P.O. AMGURI,  
P.S. AMGURI, DIST. SIVASAGAR, ASSAM, REP. BYE ITS PRESIDENT SRI  
DIGANTA SAIKIA, S/O. SRI AMBESWAR SAIKIA, R/O. AMGURI NAGAR,  
WARD NO.4, P.O. AMGURI, P.S. AMGURI, DIST. SIVASAGAR, ASSAM, PIN-  
785680.

VERSUS

THE UNION OF INDIA AND 3 ORS  
REP. BY MINISTRY OF HUMAN RESOURCE DEVELOPMENT DEPTT., OF  
SCHOOL EDUCATION AND LITERACY IS-16 SECTION, SHASRI BHAWAN,  
NEW DELHI, DR. RAJENDRA PRASHAD ROAD, RAJPATH AREA, CENTRAL  
SECRETARIAT, NEW DELHI-110001.

2:THE STATE OF ASSAM

REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
ELEMENTARY EDUCATION DEPTT.  
DISPUR  
GUWAHATI-06.

3:MISSION DIRECTOR

SARBA SIKSHA ABHIYAN MISSION  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

4:DISTRICT MISSION CO-ORDINATOR OF SARBA SIKSHA ABHIYAN  
MISSION

SIVASAGAR DISTRICT  
ASSAM

**Advocate for the Petitioner** : MR A R BHUYAN

**Advocate for the Respondent** : ASSTT.S.G.I.

**BEFORE**  
**HONOURABLE THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**05.06.2024**

*(Vijay Bishnoi, CJ)*

This writ petition is filed by the petitioner with a prayer to issue a mandamus to the respondents to cause a high level enquiry to find out the corrupt officials of the Assam Sarba Siksha Abhiyan Mission, who are involved in corruption and misappropriation of government funds allotted under the Assam Sarba Siksha Abhiyan Mission during the financial years 2010-2019.

The petitioner has relied upon the audit reports of the Accountant General (Audit), Assam to substantiate its claim that the officials of the Assam Sarba Siksha Abhiyan Mission are involved in corruption and misappropriation of the government allotted funds. It is claimed by the petitioner that in respect of the said irregularities he has already filed complaints on 30.08.2019 and 02.02.2021. However, the respondent authorities are not taking any action against the erring officials.

Counter affidavits have been filed on behalf of the respondents, wherein it is emphasised that the Principal Auditor General (Audit), Assam, is seized of the matter and out of the 43 Audit Objections, 23 Audit Objections have already been dropped after getting satisfactory clarification/reply from the concerned authority. It is further

stated that in respect of the remaining Audit Objections, replies/clarifications have already been sought and after considering such replies/clarifications, those Audit Objections would be dealt with and, in case any irregularities are found on the part of the officials concerned, recommendations for taking appropriate action against such officials will be sent to the concerned department.

Taking into consideration the above facts and circumstances of the case and, more particularly, the statement of the respondents in the affidavit-in-opposition that the Principal Auditor General (Audit), Assam, is seized of the matter of the alleged financial irregularities, we deem it appropriate to dispose of the writ petition with the hope and trust that the Principal Auditor General (Audit), Assam shall decide those Audit Objections expeditiously, in accordance with law, and if any government official is found involved in the misappropriation of government funds made available under the Assam Sarba Siksha Abhiyan Mission, appropriate recommendations for taking action against such officials will be sent to the State Government. It is expected that on receipt of such recommendations, the State Government shall proceed with the matter in accordance with law.

With these observations, this PIL petition is disposed of.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**