

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

W.P.(C) No. 874 of 2015

1. Shri Khaidem Rajesh Singh, aged about 51 years, S/o Shri Kh. Mohon Singh, resident of Palace Compound, P.O. Imphal, P.S. Porompat and District Imphal East, Manipur.
2. Shri Th. Debananda Singh, aged about 47 years, S/o Th. Budhiman Singh, resident of Khurai Kongpal Thongam Leikai, P.O. Lamlong, P.S. Porompat and District Imphal East, Manipur.

....Petitioner

- Versus -

1. The State of Manipur through the Commissioner/Secretary (Science & Technology), Government of Manipur, Imphal, Manipur.
2. The Director, Science & Technology, Government of Manipur, Imphal, Manipur.

...Respondent

**BEFORE
HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR**

For the petitioner	:	Mr. Kh. Tarunkumar, Advocate
For the respondents	:	Mr. RK. Umakanta, Govt. Advocate
Date of hearing & order	:	30.03.2019

O R D E R

[1] Heard Mr. Kh. Tarunkumar, learned counsel appearing for the petitioner and Mr. RK. Umakanta, learned G.A. appearing for the respondents.

[2] Prayer in the writ petition reads as follows :

“(ii) Issue writ of certiorari and / or any other appropriate writ / order / direction by quashing/setting aside the impugned notice (Annexure – A/25) in respect of the petitioners.

(iii) Issue writ of mandamus and / or any other appropriate writ/order/direction to the respondents / by directing them to issue formal order of engagement / adjustment of the services of the petitioners in the Panchayati Raj Institution i.e. Zilla Parishads, Imphal East and West against the existing vacancies till the schemes for which they have been engaged are continuing by the Department Science & Technology, Government of Manipur.”

[3] Petitioners claim to be Junior Engineer serving under the Department of Science and Technology on contract basis since the year 1992. According to the petitioner, their appointments are made on the recommendation of duly constituted D.P.C. Though their appointments are made for specific period, the engagements/appointments have been extended from time to time by the competent authority. According to the petitioners, they are appointed under the scheme sponsored by the Government of India.

[4] Further, it is pleaded by the petitioner that the scheme is continuing by the Government of Manipur considering the benefits of

the project. State Cabinet took a decision that the activities of the Department of Science & Technology namely Mapping in respect of 16 (sixteen) Departments should be implemented. Petitioners rely upon the proceeding of the Commissioner (RD & PR), Government of Manipur dated 09.09.2005. It is further pleaded that the Director, Science & Technology has submitted a proposal for creation of post so that service of the petitioners along with other persons can be regularized / absorbed. According to the petitioner, their services are utilised by the Zilla Parishad for more than 2 (two) decades on meager wages. Impugned notice was issued by the Director (S & T), Government of Manipur asking them to submit an undertaking by stating that they have worked till 31.03.2007 and had stopped thereafter. The petitioners plead that their valuable services have not been recognized and benefits denied.

[5] Mr. RK. Umakanta, learned G.A. appearing for the respondents states that petitioner No. 2 is now working as Section Officer in the office of the Chief Executive Officer, Imphal East Zilla Parishad, Porompat and therefore, he is not an employee under the said scheme. That is the issue on fact.

[6] Be that as it may, petitioners claim for a proper engagement can be considered by the Department of the State even though the Centrally Sponsored Scheme (CSS) is no more in vogue. In this regard, the petitioners have to make a specific request or

representation to the Government Department to consider their claim. It is policy decision of the Government based on the report of the competent authority as to the cost benefit ratio of the scheme and utility of the petitioner in the Department concerned.

[7] There is no scope for this Court to interfere in this aspect of the matter. However, liberty is given to the petitioner to make a representation to the competent authority to consider their claim for such benefit and the authority shall duly consider and dispose of the representation preferably within a period of 8 – 12 weeks.

[8] Writ petition is disposed of as above.

CHIEF JUSTICE

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