

प्रारूप-9  
नियम 8(2) देखिये

संख्या 01933/2019-2020

दिनांक 14/01/2020



सोसाइटी के नवीनीकरण का प्रमाण-पत्र  
(अधिनियम संख्या 21, 1860 के अधीन )

नवीनीकरण

संख्या:R/ETH/03615/2019-2020

पत्रावली संख्या:Ag-7913

दिनांक:1989-1990

एतद्वारा प्रमाणित किया जाता है कि भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति, लोया बादशाहपुर पो० खास जिला-एटा, एटा, 207001 को दिये गये रजिस्ट्रीकरण प्रमाण-पत्र संख्या- 1427/1989-1990 दिनांक-06/01/1990 को दिनांक-06/01/2020 से पांच वर्ष की अवधि के लिए नवीनीकृत किया गया है। 1000 रुपये की नवीनीकरण फ़ीस सम्यक् रूप से प्राप्त हो गयी है।



Digitally Signed By  
(VINOD KUMAR SINGH)

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Date: 14/01/2020 2:48:52 PM, Location: Agra.

जारी करने का दिनांक-14/01/2020

सोसाइटी के रजिस्ट्रार,  
उत्तर प्रदेश।



AYANAK MISHRA VIVEK KUMAR SRIVASTAVA

Advocates,

Chamber No. 24-A, Old Building

High Court, Allahabad.

R/o - 3 Circular Road, Green Colony, Allahabad.

Mob: 9335377309.

Contempt Application (Civil) No. 0661 of 2019

District Etah

Bhartiya Gram Kshetra, Gram Udyog  
Vikas Samiti

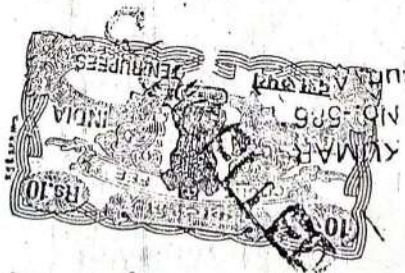
Petitioners/Applicants

Versus

Ajay Chaudhary And Others

Respondents/Opposite parties

Order Dated 03/01/2020



Court No. - 2

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8661 of 2019

Applicant :- Bhartiya Gram Kshetra, Gram Udyog Vikas Samiti

Opposite Party :- Ajay Chaudhary And 3 Others

Counsel for Applicant :- Ayank Mishra, Vivek Kumar Srivastava

Hon'ble Suneet Kumar, J.

Heard the learned counsel for the applicant.

This is second contempt petition.

It is alleged that the writ court order has been violated.

From a perusal of the record, *prima facie*, a case for contempt is made out.

Issue notice to opposite party No. 2 returnable within a month.

The counter affidavit may be filed within the aforesaid period or else charges may be framed after summoning the noticee.

However, one more opportunity is granted to the opposite party No. 2 to comply with the order within a month.

The noticee need not appear at this stage.

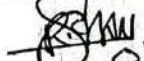
The office may send a copy of this order along with the notice.

List on the date mentioned in the notice.

**Order Date :- 3.1.2020**

Mukesh Kr.

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08/1/2020 J.R.

SECTION OFFICER

COMPUTERISED COPYING SECTION  
HIGH COURT, ALLAHABAD





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**Computerized Copying Section, High Court of Judicature at Allahabad**

Requisition Information								
Folio No.	Application Date	Case Type	Case No.	Year	Case filed at	Date of Judgment/Order	Court Fee	No.of Pages
5518 of 2020	7.1.2020	CAPL	8661	2019	Allahabad	3.1.2020	15.0	1

Printed/Prepared by	Authenticated by	Date of Issuance
Signature :-  Name :- Om Prakash Saxena Designation :- Review Officer Employee No. :- E10604 Date of Printing :- 7.1.2020	Signature :- 08/1/2020  Name :- R. C. Sankar Designation :- Section Officer DR Employee No. :- 3322 Authenticated Copy ready on:-	09 JAN 2020



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**HIGH COURT OF JUDICATURE AT ALLAHABAD**

?Court No. - 2

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8661 of 2020

Applicant :- Bhartiya Gram Kshetra, Gram Udyog Vikas Samiti  
Opposite Party :- Ajay Choudhary And 3 Others  
Counsel for Applicant :- Ayank Mishra,Vivek Kumar Srivastava

Hon'ble Suneel Kumar,J.

Heard the learned counsel for the applicant.

This is second contempt petition.

It is alleged that the writ court order has been violated.

From a perusal of the record, prima facie, a case for contempt is made out. That's why both parties compromise to each other.  
Issue notice to opposite party No. 2 returnable about sanction grant from 15 to 17 september 2020.

The counter affidavit may be filed within the aforesaid period or else charges may be framed after summoning the noticee.

However, one more opportunity is granted to the opposite party No. 2 to comply with the order within a month.

The noticee need not appear at this stage.

The office may send a copy of this order along with the notice about sanction letter.

Order Date :

Mukesh Kr. \* 04/09/2020

Visit <http://legalix.allahabadhighcourt.in/legalix/StartWebSearch.do> for more Judgments/Orders delivered at Allahabad High Court and its Bench at Lucknow. Disclaimer



**NO./PAO/SJ&E/ADMN./2019-20/438**  
**PAY & ACCOUNTS OFFICE**  
**MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT**  
**SHASTRI BHAWAN, NEW DELHI**

Date: September 9, 2019

To,

✓ President  
 Bhartiya Gramin Shetra, Gramodhyog Vikash Samiti  
 Sri R.B. Verma S/o Chiroji Lal,  
 R/o 1/29 F, Uma Nagar, Ambedkar Colony,  
 Pilli Kothi, Aligarh.

2. Secretary  
 Bhartiya Gramin Shetra, Gramodhyog Vikash Samiti  
 Loyabadshapur, Post-Khas, Distt. Etah.

**Sub- Representation regarding Contempt Application (Civil) No.4903 of 2019 - regarding --**  
 Sir,

In pursuance to the order of Hon'ble High Court on Contempt Application (Civil) No. 4903 of 2019 and your representation reference No. 3369 dated 08-08-2019 to the undersigned it is reiterated as intimated earlier vide this office letter No. 179-181 dated 28-06-2019 that the responsibility of Accounts Officer relates to making payment against a duly approved Sanction Order issued by the Competent Authority and the responsibility of making Sanction Order lies only with the Programme Division of the Ministry. Hence, your representation was forwarded to the Secretary, Ministry of Social Justice & Empowerment for consideration of your claim for pending grant-in-aid. After considering the representation the comments offered by the Ministry are reproduced below:

"The reasons given by the petitioner in the Hon'ble Court as well as in various representations claiming pending grant in aid the comments of the Ministry thereon are as under:

S.No.	Reasons given by the Petitioner NGO	Comments of the Ministry
1.	The petitioner NGO was allotted certain job-work which was allotted by the Govt. and successfully concluded by the petitioner NGO. The job work was found satisfactory by the Govt. However, no grant released till date.	M/o SJ&E is implementing a Central Sector Scheme of "Grants-in-aid to Voluntary and Other Organizations working for Scheduled Castes" wherein GIA is sanctioned to NGOs working in the field of education i.e. running School(s)/Hostel(s). The Scheme has been revised w.e.f 01.04.2018. Projects pertaining to Skill Development



including Cutting, Tailoring, Knitting Centre has been discontinued from the Scheme.

New proposals recommended by the State Govt. are placed before the Screening Committee in the Ministry and the proposals found fit for release of GIA, are recommended. Thereafter, Grants-in-Aid are released following the extant norms and procedures of Scheme Guidelines and as per GFR amended from time to time.

As per the then existing order of the Ministry, recommendation of the State GIA Committee for new projects would remain valid for the financial year following the year in which they were received and recommendation of the Screening Committee within the Ministry would also remain valid for one year following the year in which they are recommended. Also, as per the Scheme, recommendations of State/UT Grants-in-Aid Committee along with inspection reports for the current year are required each and every year for releasing of grant to any project proposal under the Scheme.

In present case, the petitioner NGO was not recommended by the Screening Committee in its meeting held on 9<sup>th</sup> & 10<sup>th</sup> July, 2010. Subsequently, on request of the orgn., Screening Committee reconsidered the proposal in its meeting held on 26<sup>th</sup> & 27<sup>th</sup> September 2013 and recommended the proposal stating that the same may be considered on file on receipt of the current year proposal (i.e. proposal for the year 2013-14) along with State GIA recommendation. The recommendation for FY 2013 14 was





	<p>not received from the State Govt.</p> <p>We can say mere selection of any NGO by the Screening Committee does not confer any right to receive grant in aid. In this case, this Ministry did not assign any job to the Organization <u>Bhartiya Gram Kshetra Gram Udhog Vikas Samiti</u>, as claimed by the Petitioner. Further, in terms of Rule 230 (15) of General Financial Rules, Grants-in-aid may be sanctioned to meet the bonafide expenditure incurred not earlier than two years prior to the date of issue of the sanction.</p>
<p>2. The petitioner organization proposal was rejected by the Screening Committee in 2010 on the ground that registration certificate was valid till 06.01.2010, is not correct. The registration certificate was renewed for five years w.e.f. 06.01.2010</p>	<p>The Screening Committee considered the above proposal in its meeting held on 9<sup>th</sup> &amp; 10<sup>th</sup> July, 2010 and not recommended the proposal on following grounds:</p> <p>(i) The registration certificate of the organization has expired on 06.01.2010; and</p> <p>(ii) The inspection report attached with the proposal is more than 5 years old (inspection conducted on 31.01.2004).</p> <p>It is pertinent to mentioned here that the Screening Committee scrutinizes the proposal based on available documents. The applicant might have not submitted the renewal certificate to the Ministry. Further, as per procedure, the State Govt. is required to attach inspection report conducted during the period for which the proposal is being forwarded to the Central Govt. for Consideration. In this case, the inspection report was more than 5 years old.</p>
<p>3. The decision of non-selection of their proposal by the Screening Committee meeting held in 2010 was given to</p>	<p>As per practice, minutes of the Screening Committee meeting is uploaded on the website of the Ministry for information of all concerned. In this</p>



them on 08.08.2013, which is not appropriate.

case, the Ministry intimated the organization about non-selection vide letter dated 08.08.2013 only on receipt of letter No. 104 dated 14.02.2013 from the petitioner. They were also requested to submit their proposal for 2013-14 which should be complete in all respect to the U.P. Govt. for appropriate action. Subsequently, the petitioner NGO vide its letter dated 02.09.2013 requested this Ministry to place their proposal before Screening Committee for reconsideration. Accordingly, the Screening Committee reconsidered the proposal in its meeting held on 26<sup>th</sup> & 27<sup>th</sup> September 2013 and recommended the proposal stating that the same may be considered on file on receipt of the current year proposal (i.e. proposal for the year 2013-14) along with State GIA committee recommendation. The proposal for 2013-14 was not received from the State Govt. After introduction of online processing of proposal since 2014-15, the petitioner repeatedly requested to submit proposal online but they never applied.

Therefore, the contention of the petitioner at this stage that they were not informed timely is not appropriate.

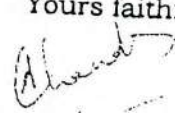
In view of foregoing, it may be seen that there is no merit in the claim of the petitioner."



It is pertinent to mention here that the subject matter of petition does not pertain to the Accounts Officer, Ministry of Social Justice & Empowerment. however, it has been made Respondent in this case. As stated earlier, it may be noted that concerned Programme Division of the Ministry has the responsibility to consider the claims and issue the Sanction Order for releasing Grant-in-Aid to various Non-Govt. Organisations after analyzing all the terms & conditions for releasing the payment with the concurrence of IFD of the Ministry. The role of Accounts Officer is only making payment in favour of NGO against the bill submitted to Pay & Accounts Office by the D.D.O of concerned Programme Division.

After considering your representation, the Ministry saw no merit in your claim due to procedural lapses stated above and did not submit any bill to this office for releasing any payment in favour of your organization.

Yours faithfully

  
Sr. Accounts Officer

Copy to:-

Sh. Umesh Kumar Mishra Standing Counsel Central Government Allahabad,  
Chamber 33 Tribhuvan Hall, High Court Allahabad.



4

**Advocates,**  
Chamber No. 24-A, Old Building  
High Court, Allahabad.  
R/o - 3 Circular Road, Green Colony, Allahabad.  
Mob: 9335377309

Civil Contempt No. 4903 of 2019

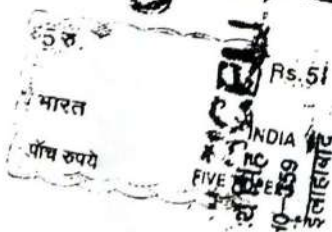
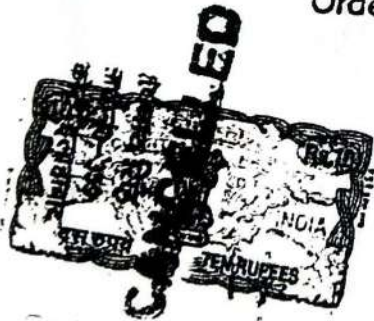
District Etah  
Blockiya Gram Khetra Gram  
Udyog vikas Samiti

Petitioners/Applicants

Versus  
Ajay Chaudhary

Respondents/Opposite parties

Order Dated 5/8/2019



**Court No. - 10**

**Case :- CONTEMPT APPLICATION (CIVIL) No. - 4903 of 2019**

**Applicant :- Bhartiya Gram Kshetra, Gram Udyog Vikas Samiti**

**Opposite Party :- Ajay Chaudhary**

**Counsel for Applicant :- Ayank Mishra, Vivek Kumar Srivastava**

**Hon'ble Mahesh Chandra Tripathi, J.**

Heard learned counsel for the applicant.

The applicant is before this Court for a direction to initiate contempt proceeding against the respondents for disobedience of the order dated 15.04.2019 passed in Writ-C No.12909 of 2019 (Bhartiya Gram Kshetra, Gram Udyog Vikas Samiti v. State of U.P. & Ors.). For ready reference, the relevant extract of order dated 15.04.2019 is quoted as under:-

*"Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this writ petition is finally disposed of with a direction to the petitioner to make a fresh representation before the respondent no.2- Accounts Officer, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi ventilating his grievances within three weeks from today along with a certified copy of this order enclosing therewith a copy of the writ petition and its entire Annexures and, if any such representation is made, the said authority shall make all endeavours to consider and decide the same in accordance with law expeditiously preferably within two months from the date of receipt of the said representation.*

*This order has been passed in the presence of Sri Umesh Kumar Mishra, learned counsel appearing on behalf of the Union of India."*

Learned counsel for the applicant submits that a certified copy of the aforesaid order alongwith other documents was submitted for compliance before the opposite parties but the opposite parties have wilfully not complied with the order and, thus, have committed civil contempt liable for punishment under Section 12 of the Contempt of Courts Act, 1971.

Prima facie a case of contempt has been made out. However, considering the facts and circumstances of the case, one more opportunity is afforded to the opposite parties to comply with the aforesaid order of the Court within six weeks from the date of production of a certified copy of this order.

The applicant shall supply a duly stamped registered envelope addressed to the opposite parties and another self-addressed envelope to the office within one week from today. The office shall send a copy of this order along with the self-addressed



envelope of the applicant with a copy of contempt application to the opposite parties within one week thereafter and keep a recorded thereof.

The opposite party shall comply with the directions of the writ court and intimate the applicant the order through the self-addressed envelop within a week thereafter.

With the aforesaid observations, this application is **disposed of** at this stage with liberty to the applicant to move a fresh application, if the order is not complied with by the opposite parties within the stipulated time as aforementioned.

**Order Date :- 5.8.2019**

A. Pandey

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*[Handwritten Signature]*

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Requisition Information								
Folio No.	Application Date	Case Type	Case No.	Year	Case filed at	Date of Judgment/Order	Court Fee	No. of Pages
214468 of 2019	7.8.2019	CAPL	4903	2019	Allahabad	5.8.2019	15.0	2

Printed/Prepared by	Authenticated by	Date of Issuance
Signature :- Name :- Priya Brota Sengupta Designation :- Review Officer Employee No. :- E7218 Date of Printing :- 7.8.2019	Signature :- Name :- R.C. Sanjayant Designation :- Section Officer Employee No. :- 2322 Authenticated Copy ready on:-	07 AUG 2019



①

Shri- Ayank Mishra

— Advocate

High Court Allahabad

Che No - 24 - A

Mob. No - 9335377309

Civil. No. w/P No - 12909 of 2019

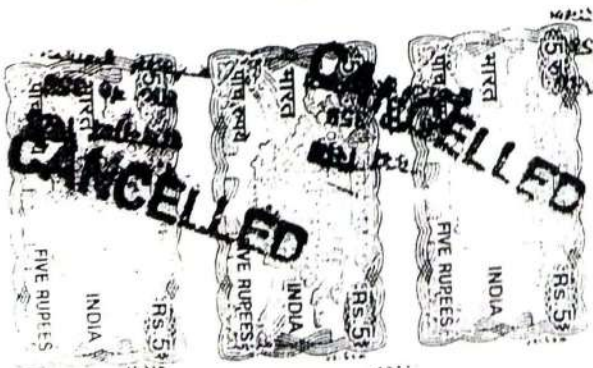
DISH - ETah

Bhardiya Gram Kshetra Gram Udyog Vikas Samiti

v/s

Union of India And, 4, others

True Copy of the order ~~at~~ - 15/4/2019





**Court No. - 32**

**Case :- WRIT - C No. - 12909 of 2019**

**Petitioner :- Bhartiya Gram Kshetra Gram  
Udyog Vikas Samiti**

**Respondent :- Union Of India And 4 Others**

**Counsel for Petitioner :- Ayank Mishra**

**Counsel for Respondent :- A,S,G.I., C.S.C.**

**Hon'ble Shashi Kant Gupta.J.**

**Hon'ble Saurabh Shyam Shamshery.J.**

This writ petition has been filed, inter alia, for the following reliefs:

*"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to forthwith release the amount in respect of the work done by the petitioner with regard to the upliftment of Schedule Caste.*

*(ii) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to consider the claim of the petitioner and decide the representation of the petitioner. "*

Learned counsel for the petitioner has stated that the petitioner is a Non-Governmental Organization (N.G.O); which was formed for the welfare of the Schedule Caste of the Country and he concluded the job which was assigned to him but still the respondent authorities has not released the financial assistance in his favour.

Heard learned counsel for the parties and perused the record.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this writ petition is finally disposed of with a direction to the petitioner to



(5)

make a fresh representation before the respondent no.2- Accounts Officer, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi ventilating his grievances within three weeks from today along with a certified copy of this order enclosing therewith a copy of the writ petition and its entire Annexures and, if any such representation is made, the said authority shall make all endeavours to consider and decide the same in accordance with law expeditiously preferably within two months from the date of receipt of the said representation.

This order has been passed in the presence of Sri Umesh Kumar Mishra, learned counsel appearing on behalf of the Union of India.

**Order Date :- 15.4.2019**

**Arun**

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Requisition Information								
Folio No.	Application Date	Case Type	Case No.	Year	Case filed at	Date of Judgment/Order	Court Fee	No. of Pages
104903 of 2019	16.4.2019	WRIC	12909	2019	Allahabad	15.4.2019	15.0	2

<b>Printed/Prepared by</b>	<b>Authenticated by</b>	<b>Date of Issuance</b>
Signature :-	Signature :-	16 APR 2019
Name :- Om Prakash Saxena Designation :- Review Officer Employee No. :- E10604 Date of Printing :- 16.4.2019	Name :- S. K. Ratnakar Designation :- Section Officer Employee No. :- 4023 Authenticated Copy ready on:-	

16 APR 2019

**PROFORMA FOR FRESH FILING**

1. Category Civil MiSc. Writ Petitio  
2. Cognizable by Hon'ble Division / Single Bench  
3. District Farrukhabad  
4. Petitioner/Appellant Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,  
Through its President Ram babu Verma, Age 75 yr  
Gender M. Mobile..... e-mail.  
5. Respondent Union Of India through Sect. Social Justice & Empowe  
Age..... Gender..... Mobile.....  
6. Petitioner's Advocate Name & Roll no. Acharya Rajesh Tripathi, A/A 1682-12  
7. Respondent's Advocate Name & Roll no. ASGI  
8. Notice no.(if any) .....  
9. Court fee paid 100/-  
10. No. of Affidavit attached One

**Crime Details )If any)**

11. Crime No. & Year Nil  
12. Under Section Nil  
13. Police Station & District Nil

**Lower Court / High Court Details (If any)**

14. High Court Case no. details C.M.W.P. No. 12909 of 2019 & Con(C) 4903 Of 2019  
15. Order date 15.04.2019 05.08.2019  
16. Lower Court Order Passed by...

**Extra Parties & Advocate**

17. Extra Parties(Petitioner) ( Mobile/mail).....  
18. Extra Parties(Respondent) ( Mobilel)... Project Officer, Director / DSWO,  
19. Extra Advocates (Pet.)& Roll No. Nil  
20. Extra Advocates (Res.)& Roll No. .... ASGI & CSC

**Act & Section(Mandatory)**

21. Title of Act involve (Central/State)  
22. Sections  
23. Title of rule involved(central/State)  
24. (i) Vires of Act/Rule Challenged(yes/No).....  
(ii) Particulars of Cases involving Similies/identical .....  
25. Remarks .....

Acharya Rajesh Tripathi, A/A 1682-12

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Date of Reporting.....  
Reporter.....



In the Hon'ble High Court Of Judicature At Allahabad.

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Index

IN

Civil Misc. Writ Petition No.

Of 2020

( Under Art. 226, the Constitution of India, 1950)

District : Farrukhabad.

Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,

.....

Petitioner.

Versus

Union of India and others.

.....

Respondents.

Sr. No.	Particulars of documents, relied upon	Annexure	Date	Page No.
1.	<b>Date &amp; Events</b>			
2.	<b>Civil Misc. Application</b> ( Under Rule 1, Chapter XXII of High Court Rules, 1952)			
3.	<b>Civil Misc. Writ Petition</b> ( Under Art. 226, the Constitution of India, 1950)			
4.	<b>The copy of the bylaws and registration certificate of the petitioner's NGO</b>	1	06.01.90	
5.	<b>The copy of letter No. 996(1)/26-2-98/Dept. S.W./Section-2 &amp; letter no. 2395-97/SK/Anu/2004-05</b>	2	28.03.98 31.12.04	
6.	<b>The copy of letter No. 60 M(1)/ 26-2-07</b>	3	28.06.07	
7.	<b>The copy of letter No. 11020 / 55 / 2008-SCD III</b>	4	23.06.08	
8.	<b>The copy of letter No. 3320/26-2-08-100(7)/ 2000 TC-1</b>	5	26.12.08	
9.	<b>The copy of letter No. 1477/26-2-2010 and letter No. 956(1)/ 26-2-2011</b>	6	26.05.10 27.04.11	
10.	<b>The copy of letter No. F.No. 11020 / 55 / 2008-SCD III</b>	7	08.08.13	
11.	<b>The copy of renewal certificate of the Petitioner's NGO</b>	8	07.01.10	
12.	<b>The copy of minutes of the Screening Committee of the respondent no. 1</b>	9	26.09.13	
13.	<b>The copy of the Order &amp; Judgment, passed by this Hon'ble Court in Civil Misc. Writ Petition No. 12909 of 2019</b>	10	15.04.19	
14.	<b>The copy of the Order &amp; Judgment,</b>	11	05.08.19	



15.	The copy of comment of the Accounts Officer of the respondent no.1, letter No. PAO / SJ&E / Admn. / 2019 / 488	12	09.09.19
16.	The copy of detail representation cum application	13	.10.20
17.	Affidavit & Declaration along with Aadhar Card		
18.	Vakalatnama		

Dated : October 12/10/2020

Place : Allahabad

**Rakesh Kumar Tripathi**  
 Advo. Roll No. A/ R 1474-12  
 Enroll. No. U.P. 6036 / 2000  
 Mob. No. 9919050118

**Acharya Rajesh Triapthi,**  
 Advo. Roll No. A/A 1682-12  
 Enroll. No. U.P. 15015 / 1999  
 Seat in the corridor of Court No. 17,  
 Hon'ble High Court, Allahabad.  
 Mob. No. 9936074290



In the Hon'ble High Court Of Judicature At Allahabad.

\*\*\*\*\*

Date & Events

IN

Civil Misc. Writ Petition No.

Of 2020

( Under Art. 226, the Constitution of India, 1950)

District : Farrukhabad.

Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,

.....

Petitioner.

Versus

Union of India and others.

.....

Respondents.

Sr. No.	Date	EVENTS
1.	06.01.1990	The petitioner's NGO is registered society and time to time the Registration Certificate of the NGO renewed before the authority concern and is in still existing. It is again submitted that petitioner's NGO is working in the direction of uplifting the SC/ST and for this the NGO also organized skill progammes in several district of whole country. <b>Annexure No. 1</b> <b>Page No.</b>
2.	28.03.1998	Vide letter dated 25.05.1998 the State Grant-in-Aid Committee recommended for Grants for the Craft Training Centre in favour of the petitioner's NGO but the respondent no. 1 & 2 did not pay any heed on recommendation whereas the petitioner's worked in direction of his projects since that. <b>Annexure No. 2</b> <b>Page No.</b>
3.	31.12.2004	After inspection of works of the petitioner's NGO, vide inspection report dated 31.12.2004 the Chief Development Office, District Farrukhabad submitted his report to the respondent no. 3 in sequence of letter of the respondent no. 3 as well as letter of the authority concern of the respondent no. 1 and also recommended for central grant



4.	28.06.2007	It is submitted with great respect that in year 2007, along with inspection report of petitioner's NGO, the Dy. Secretary of U.P. Government sent a letter to the Joint Secretary of the respondent no. 1 for further action. <b>Annexure No. 3 Page No.</b>
5.	23.06.2008	While the petitioner's NGO approached to the respondents and several times requested to release the funds accordance with the recommended project then- vide letter dated 23.06.2008, the Under Secretary of the respondent no. 1 and 2 communicated to the Principal Secretary, Department of Social Welfare, Govt. of U.P. that the proposal including inspection report are required to be recommended by the Multi Disciplinary Grant-in-aid Committee of the State Government. <b>Annexure No. 4 Page No.</b>
6.	26.12.2008	Vide letter dated 26.12.2008 the State Grant-in-Aid Committee, headed by the Principal Secretary of Department of Social Welfare, again recommended in sequence of aforesaid letter but the respondent no. 1 and 2 again failed releasing the funds in shape of Grant-in-Aid. <b>Annexure No. 5 Page No.</b>
7.	26.05.2010 27.04.2011	After recommendation of the multi disciplinary committee of State Govt. and assurance of the concern department of the State govt. as well as authorities of the Ministry of Social Justice and Empowerment, the petitioner's NGO continued the education and training programs for uplifting the SC/ST accordance with the project and in this respect the petitioner's NGO spend huge amounts in this regard with the expectation that the proposal has been recommended by the state Govt. for grant in aid and the Ministry concern of the Union of India has reviewed the proposal and placed into selection list.





8.	08.08.2013	Vide letter dated 08.08.2013, the Dy. Secretary of the respondent no. 1 and 2 communicated to the petitioner's NGO that the proposal is not accepted for financial assistance on account of expired Registration Certificate as well as 5 year old inspection report. <b>Annexure No. 7</b> <b>Page No.</b>
9.	07.01.2010	Before rejection of the proposal of the petitioner's NGO, the authority concern did not provide any opportunity of hearing and never asked to submit the renewal certificate, whereas the Registration Certificate of the petitioner's NGO was renewed 07.01.2010. <b>Annexure No. 8</b> <b>Page No.</b>
10.	26.09.2013	Vide its Minutes, meeting taken place on 26 <sup>th</sup> and 27 <sup>th</sup> September 2013, the Screening Committee of the respondent no. 1 and 2 screened 44 new cases and 04 cases were reviewed consequent upon submission of further clarification / documents and after deliberation at length the aforesaid committee also reviewed the proposal of the petitioner's NGO. <b>Annexure No. 9</b> <b>Page No.</b>
11.		It is submitted with great regard that time to time the petitioner's NGO applied to release funds accordance with the proposal of concern Financial year but all time the authority concern of Ministry concern as well as concern department of State Govt. keep mums and never paid any heed on the request of the petitioner's NGO.
12.	15.04.2019	Ultimately the petitioner compelled to invoke the extra ordinary jurisdiction of the Ho'nble High Court. Alld bymeans of Civil Misc. Writ Petition No. 12909 of 2019. This Hon'ble High Court, Alld. has pleased to to the Accounts Officer of the



applicant - petitioner preferably within 02 months from the date of production of fresh representation.

**Annexure No. 10**

**Page No.**

13. 05.08.2019

While the authority concern willingly absconded to comply the aforesaid order and not communicated any decision then the petitioner again knocked the door of Contempt Jurisdiction of the Hon'ble High Court, Allahabad, bearing Contempt Application No. 4903 of 2019. The Hon'ble Court again pleased to provide an opportunity for compliance the aforesaid order, but the authority concern again failed to comply the order of the Hon'ble Writ Court as well as Contempt Court then the petitioner moved second Contempt petition, bearing Contempt application (Civil) No. 8661 of 2019 and same is pending.

**Annexure No. 11**

**Page No.**

14. 09.09.2019

First time the Sr. Accounts officer of the respondent no. 1 and 2 has communicated comments of the Ministry through above quoted letter no. PAO / SJ & E / ADMN /2019-20 / 488 dated 09.09.2019.

**Annexure No. 12**

**Page No.**

15.

Against aforesaid letter dated 09.09.2019, the petitioner again approached with a detail representation before the respondents and same is still pending. It is clearly mentioned in the averments of letter of September 09, 2019, that accordance with provisions of the then existing order of the Ministry, the recommendation of the State Grant-in-Aid Committee for new projects would remain valid for the financial year in which they were received and the recommendation of the Screening Committee within the Ministry also remain valid. **Annexure No. 13** **Page No.**



16.		It is most considerable that on one side the recommendation of the State Grant-in-Aid Committee for new projects as well as recommendation of the Screening Committee within the Ministry valid for the financial year in which they were received and on the other side they did not took the decision on the project nor they have released funds in respect of the recommended projects. There is no justification on the part of the respondent no. 1 and 2 that after resubmission of inspection report as well as recommendation of State Grant-in-Aid Committee, why they have not released the grant in favour of the petitioner's NGO for the financial year concern.
17.		The petitioner has no other alternative, efficacious and speedy remedy except to approach this Hon'ble Court under Art. 226, the Constitution of India, hence this writ petition is filed.

**Dated : October 21-10 /2020**

**Place : Allahabad**

**Rakesh Kumar Tripathi**

Advo. Roll No. A/ R 1474-12

Enroll. No. U.P. 6036 / 2000

Mob. No. 9919050118

**Acharya Rajesh Tripathi,**

Advo. Roll No.-A/A 1682-12

Enroll. No. U.P. 15015 / 1999

Seat in the corridor of Court No. 17,

Hon'ble High Court, Allahabad.

Mob. No. 9936074290



In the Hon'ble High Court Of Judicature At Allahabad.

Civil Misc. Application No.

(Under Rule 1, Chapter XXII of High Court Rules, 1952)

Of 2020

ON BEHALF OF

Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,

..... Applicant.

IN

Civil Misc. Writ Petition No.

(Under Art. 226, the Constitution of India, 1950)

Of 2020

District : Farrukhabad.

Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,

Through its President Ran Babu Verma

1/29 F, Uma Nagar, Ambedkar Coloney,

Pilli Kothi, District Aligarh, U.P.

..... Petitioner.

Versus

1. **Union of India** through its Secretary, Ministry of Social Justice & Empowerment, Shastri Bhawan, Sansad Marg, New Delhi.
2. **The Project Officer, Grant in aid Section**, Ministry of Social Justice & Empowerment, Shastri Bhawan, Sansad Marg, New Delhi.
3. **State of U.P.** through its Director, Department of Social Welfare, Samaj Kalyan Bhawan, Prag Narain Road, Lucknow.
4. **The District Social Welfare Officer**, District Farrukhabad, U.P.

..... Respondents.

To,

*The Hon'ble Chief Justice and his other companion Judges of this Hon'ble Court.*

I, the above named applicant most respectfully & humbly pray as under :-

1. That the full facts and circumstances of the case have been described in



2. That, the petitioner's NGO is registered society and time to time the Registration Certificate of the NGO renewed before the authority concern and is in still existing. It is again submitted that petitioner's NGO is working in the direction of uplifting the SC/ST and for this the NGO also organized skill programmes in several district of whole country.
3. That the petitioner's NGO approached to the respondents and several times requested to release the funds accordance with the recommended project but all time they have not paid any heed on the application as well as request whereas the respondent no. 1 and 2 released the fund to those voluntary organizations whose proposal were reviewed by the minutes of 26/27 September 2013 of the Screening Committee of the respondent no. 1 and 2.
4. That there is no justification on the part of the respondent no. 1 and 2 that after resubmission of inspection report as well as recommendation of State Grant-in-Aid Committee, why they have not released the grant in favour of the petitioner's NGO for the financial year concern.
5. That in the interest of justice and equity, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to accept / allow this application. This application shall file in the registry of this Hon'ble Court on October , 2020 and shall be taken up on October , 2020.

### PRAYER

Therefore, in the interest of justice and equity, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to direct the respondents to release the funds to the petitioner's NGO for the concern financial years accordance with the recommendation of State Grant-in-Aid Committee as well as Screening Committee of the respondent no. 1 and 2, otherwise the ends of justice shall be mitigated and the petitioner shall suffer irrpreamble loss and unexplainable injury to the arbitrary, illegal and discriminative



And / Or, pass such other order or direction, which deem fit, proper and just in the view of the facts and circumstances of the case.

**Dated : October 21<sup>st</sup> / 2020**

**Place : Allahabad**

**Rakesh Kumar Tripathi**

Advo. Roll No. A/ R 1474-12  
Enroll. No. U.P. 6036 / 2000  
Mob. No. 9919050118

**Acharya Rajesh Tripathi,**

Advo. Roll No. A/A 1682-12  
• Enroll. No. U.P. 15015 / 1999  
Seat in the corridor of Court No. 17,  
Hon'ble High Court, Allahabad.  
Mob. No. 9936074290



In the Hon'ble High Court Of Judicature At Allahabad.

Civil Misc. Writ Petition No.

Of 2020

(Under Art. 226, the Constitution of India, 1950)

District : Farrukhabad.

**Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,**

Through its President Ran Babu Verma

1/29 F, Uma Nagar, Ambedkar Coloney,

Pilli Kothi, District Aligarh, U.P.

Petitioner.

Versus -

1. **Union of India** through its Secretary, Ministry of Social Justice & Empowerment, Shastri Bhawan, Sansad Marg, New Delhi.
2. **The Project Officer, Grant in aid Section,** Ministry of Social Justice & Empowerment, Shastri Bhawan, Sansad Marg, New Delhi.
3. **State of U.P.** through its Director, Department of Social Welfare, Samaj Kalyan Bhawan, Prag Narain Road, Lucknow.
4. **The District Social Welfare Officer,** District Farrukhabad, U.P.

Respondents.

To,

*The Hon'ble Chief Justice and his other companion Judges of this Hon'ble Court.*

I, the above named applicant most respectfully stated the facts and circumstances of the case, as under :-

1. That against letter no. PAO / SJ & E / ADMN /2019-20 / 488 dated 09.09.2019, communicated by Sr. Accounts Officer of the respondent no. 3 in respect of order dated 05.09.2019, passed by the Hon'ble High Court, Allahabad, this is first writ petition on behalf of the petitioner under Art. 226, the Constitution of India, 1950 in respect of present cause of action and earlier to this writ petition,



letter of the respondent no. 3 as well as letter of the authority concern of the respondent no. 1 and also recommended for central grant. For the kind perusal of this Hon'ble Court, a copy of aforesaid recommendation letter dated 31.12.2004 is annexed as ANNEXURE NO. 2A to this petition.

10. That it is submitted with great respect that in year 2007, along with inspection report of petitioner's NGO, the Dy. Secretary of U.P. Government sent a letter to the Joint Secretary of the respondent no. 1 for further action. For the kind perusal of this Hon'ble Court, copy of letter dated 28.06.2007 is annexed as ANNEXURE NO. 3 to this petition.

11. That while the petitioner's NGO approached to the respondents and several times requested to release the funds accordance with the recommended project then vide letter dated 23.06.2008, the Under Secretary of the respondent no. 1 and 2 communicated to the Principal Secretary, Department of Social Welfare, Govt. of U.P. that the proposal including inspection report are required to be recommended by the Multi Disciplinary Grant-in-aid Committee of the State Government. For the kind perusal of this Hon'ble Court, copy of letter dated 23.06.2008 is annexed as ANNEXURE NO. 4 to this petition.

12. That it is submitted with great respect that vide letter dated 26.12.2008 the State Grant-in-Aid Committee, headed by the Principal Secretary of Department of Social Welfare, again recommended in sequence of aforesaid letter but the respondent no. 1 and 2 again failed releasing the funds in shape of Grant-in-Aid. For the kind perusal of this Hon'ble Court, copy of letter dated 26.12.2008 is annexed as ANNEXURE NO. 5 to this petition.

13. That it is again submitted that after recommendation of the multi disciplinary committee of State Govt. and assurance of the department of the State Govt as well as authorities of the





4903 of 2019 as well as pending Contempt Application.No. 8661 of 2019 is filed in respect of the present cause of action before this Hon'ble Court.

2. That the petitioner further declares that no caveat or notice of such presumption is received by the petitioner or his counsel in respect of the present cause of action.
3. That by means of the present Writ Petition, the petitioner is invoking is invoking the extra ordinary jurisdiction of this Hon'ble Court under Art. 226, the Constitution of India, 1950 to seek writ of mandamus, directing the respondents to release the
- 6. That it is submitted that the petitioner's NGO is registered society and time to time the Registration Certificate of the NGO renewed before the authority concern and is in still existing. For the kind perusal of this Hon'ble Court, a copy of registration Certificate are collectively annexed as **ANNEXURE NO. 1** to this petition.
7. That the Ministry of Social Justice of Govt. of India is implementing a Central Sector Scheme of Grants-in-aid to voluntary and other Organizations working for Scheduled Castes. It is again submitted that petitioner's NGO is working in the direction of uplifting the SC/ST and for this the NGO also organized skill programmes in several district of whole country.
8. That, vide letter dated 25.05.1998 the State Grant-in-Aid Committee recommended for Grants for the Craft-Training Centre in favour of the petitioner's NGO but the respondent no. 1 & 2 did not pay any heed on recommendation whereas the petitioner's worked in direction of his projects since that. For the kind perusal of this Hon'ble Court, a copy of aforesaid recommendation letter dated 25.05.1998 is annexed as **ANNEXURE NO. 2A** to this petition.
9. That after inspection of works of the petitioner's NGO, vide inspection



continued the education and training programs for uplifting of the SC accordance with the project and in this respect the petitioner's NGO spend huge amounts with the expectation that the State Govt. has been recommended the proposal for grant in aid to the Ministry concern of the Union of India. For the kind perusal of this Hon'ble Court, copy of letter dated 26.05.2010 and 27.04.2011 are collectively annexed as ANNEXURE NO. 6 to this petition.

14. That it is further submitted with great respect that vide letter dated 08.08.2013, the Dy. Secretary of the respondent no. 1 and 2 communicated to the petitioner's NGO that the proposal is not accepted for financial assistance on account of expired Registration Certificate as well as 5 year old inspection report. For the kind perusal of this Hon'ble Court a copy of aforesaid letter dated 08.03.2013 is annexed as ANNEXURE NO. 7 to this petition.

15. That from a perusal of aforesaid letter it is clearly reveals that the attitude of the Ministry was absolutely arbitrary, illegal, unconstitutional and discriminative in the eye of law of India, because of, while vide letter dated 26.12.2008 the State Grant-in-Aid Committee, headed by the Principal Secretary of Department of Social Welfare, again recommended in sequence of aforesaid letter of the officer of the respondent no. 1 then why the authority concern were not taken decision in this regard.

16. That from a close reading of aforesaid letter it is clearly reveals that the attitude of the Ministry was absolutely arbitrary, illegal, unconstitutional and discriminative in the eye of law of India. It is submitted with due respect that after expiry of 5 years of resubmission of recommendation of State multi disciplinary committee they are communicating that the proposal is not accepted for financial assistance on account of expired Registration Certificate as well as 5 year old inspection report. It is most



petitioner's NGO continuously working accordance with the recommended proposal.

17. That it is also submitted with great regard that before rejection of the proposal of the petitioner's NGO, the authority concern did not provide any opportunity of hearing and never asked to submit the renewal certificate, whereas the Registration Certificate of the petitioner's NGO was renewed 07.01.2010. For the kind perusal of this Hon'ble Certificate, a copy of renew Registration Certificate is annexed here as **ANNEXURE NO. 8**.

18. That from a close reading of aforesaid letter dated 08.08.2013 it is clearly reveals that authority concern of the respondent no. 1 and 2 suggested to the petitioner's NGO to submit the fresh proposal project for the FY 2013-14 and in the compliance of the petitioner's NGO again submitted his proposal before the authority concern and same is also still pending for the Grant-in-aid.

19. That it is submitted with great respect that vide its Minutes, meeting taken place on 26<sup>th</sup> and 27<sup>th</sup> September 2013, the Screening Committee of the respondent no. 1 and 2 screened 44 new cases and 04 cases were reviewed consequent upon submission of further clarification / documents and after deliberation at length the aforesaid committee also reviewed the proposal of the petitioner's NGO. For the kind perusal of this Hon'ble Court, a copy of Minutes dated 26<sup>th</sup> and 27<sup>th</sup> September 2013 is annexed as **ANNEXURE NO. 9** to this petition.

20. That it is submitted with great regard that time to time the petitioner's NGO applied to release funds accordance with the proposal of concern Financial year but all time the authority concern of Ministry concern as well as concern department of State Govt. keep mums and never paid any heed on the request of the



21. That ultimately the petitioner compelled to invoke the extraordinary jurisdiction of the Hon'ble High Court, Allahabad by means of Civil Misc. Writ Petition No. 12909 of 2019. The Division Bench of the Hon'ble High Court, Allahabad has pleased to pass an order to the Accounts Officer of the respondent no. 1 and 2 to consider and decide the representation of the applicant - petitioner preferably within 02 months from the date of production of fresh representation. For the kind perusal of this Hon'ble Court, a copy of order dated 2019 is annexed as **ANNEXURE NO. 10** to this petition.

22. That while the authority concern willingly absconded to comply the aforesaid order and not communicated any decision then the petitioner again knocked the door of Contempt Jurisdiction of the Hon'ble High Court, Allahabad, bearing Contempt Application No. 4903 of 2019. The Hon'ble Court again pleased to provide an opportunity for compliance the aforesaid order, but the authority concern again failed to comply the order of the Hon'ble Writ Court as well as Contempt Court then the petitioner moved second Contempt petition, bearing Contempt application (Civil) No. 8661 of 2019 and same is pending. For the kind perusal of this Hon'ble Court, a copy of order dated 05.08.2019 is annexed as **ANNEXURE NO. 11** to this petition.

23. That first time the Sr. Accounts officer of the respondent no. 1 and 2 has communicated comments of the Ministry through above quoted letter **letter no. PAO / SJ & E / ADMN /2019-20 / 488 dated 09.09.2019**. For the kind perusal of this Hon'ble Court, a copy of letter dated 09.09.19 is annexed as **ANNEXURE NO. 12** to this petition.

24. That from a close reading of comments of the Accounts Officer of



of the Accounts Officer as well as respondent no. 1 and 2 is absolutely arbitrary, illegal, unconstitutional and discriminative, because on the one side the Ministry has commented that mere selection of any NGO, does not confirm any right to receive grant in aid and on the other side, as per information, the Ministry has release Grant in aid to those NGOs, who are functioning in other States and whose proposal were also reviewed by same minutes.

25. That it is submitted with great respect that if a NGO worked accordance with the recommended proposal and the Screening Committee of the respondent no. 1 and 2 reviewed the proposal in its minutes and neither the authority of Ministry concern nor Department concern raised any objection in respect of the function of NGO and after expiry of more than year, while the Petitioner's NGO invoked the Jurisdiction of this Hon'ble Court then the Ministry concern is stating in his comments that mere selection of any NGO, does not confirm any right to receive grant in aid and denying to release the funds in name and shape of grant in aid whereas the petitioner's NGO continuously worked and spent his infrastructure in this regard, meaning there by the act and action of the authority concern of the Ministry are totally arbitrary, illegal, unconstitutional, harassive and discriminative.

26. That it is clearly mentioned in the averments of letter of September 09, 2019, that accordance with provisions of the then existing order of the Ministry, the recommendation of the State Grant-in-Aid Committee for new projects would remain valid for the financial year in which they were received and the recommendation of the Screening Committee within the Ministry also remain valid.

27. That while the recommendation of State Grant-in-Aid Committee was valid for the year in which the recommendation were received in the Ministry of the respondent no. 1 and 2 then why not they have taken decision within time and why not they have released the



funds to the petitioner's NGO as such why not direct the petitioner's NGO to stop his project.

28. That it is respectfully submitted that against aforesaid letter dated 09.09.2019, the petitioner again approached with a detail representation before the respondents and same is still pending. For the kind perusal of this Hon'ble Court a copy of aforesaid representation cum application dated 01.10.2020 is annexed as **ANNEXURE NO. 13** to this petition.
29. That there is no justification on the part of the respondent no. 1 and 2 that after resubmission of inspection report as well as recommendation of State Grant-in-Aid Committee, why they have not released the grant in favour of the petitioner's NGO for the financial year concern.
30. That it is most considerable that on one side the recommendation of the State Grant-in-Aid Committee for new projects as well as recommendation of the Screening Committee within the Ministry valid for the financial year in which they were received then there is also no justification on the part of the respondents that why the decision was not taken within year and why the funds of Grant-in-Aid was not release accordance with the recommendation.
31. That the act and action of the respondents are absolutely illegal, arbitrary, none transparent and discriminative in the eye of law.
32. That in the view of the facts and circumstances, the letter dated 08.08.2013 and 09.09.2019 is not sustainable in the eye of law and the respondents are fully liable to release the funds for the recommended projects of the petitioner's NGO.
33. That in the interest of justice and equity, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to direct the respondents to take a decision on the application cum representation dated 2020 which is still pending (annexed here as Annexure No. 13 to the petition) and it is further prayed that this Hon'ble Court may be pleased to direct the direct the respondents to release the



with the recommendation of State Grant-in-Aid Committee as well as Screening Committee of the respondent no. 1 and 2, otherwise ends of justice shall be mitigated and the petitioner shall suffer irreparable loss and unexplainable injury, which can't be compensated by any manner.

34. That the petitioner has no other alternative, efficacious and speedy remedy, except to approach the extra ordinary jurisdiction of this Hon'ble Court under Art. 226, the Constitution of India, 1950 on following amongst *inter alias* grounds, as under :-

**:- GROUNDS :-**

- a. **Because,** the petitioner's NGO is registered society and time to time the Registration Certificate of the NGO renewed before the authority concern and is in still existing. It is again submitted that petitioner's NGO is working in the direction of uplifting the SC/ST and for this the NGO also organized skill programmes in several district of whole country.
- b. **Because,** vide letter dated 25.05.1998 the State Grant-in-Aid Committee recommended for Grants for the Craft Training Centre in favour of the petitioner's NGO but the respondent no. 1 & 2 did not pay any heed on recommendation whereas the petitioner's worked in direction of his projects since that.
- c. **Because,** in year 2007, along with inspection report of petitioner's NGO, the Dy. Secretary of U.P. Government sent a letter to the Joint Secretary of the respondent no. 1 for further action.
- d. **Because,** vide letter dated 26.12.2008 the State Grant-in-Aid Committee, headed by the Principal Secretary of Department of Social Welfare, again recommended in sequence of aforesaid letter but the respondent no. 1 and 2 again failed releasing the



- e. **Because**, vide letter dated 08.08.2013, the Dy. Secretary of the respondent no. 1 and 2 communicated to the petitioner's NGO that the proposal is not accepted for financial assistance on account of expired Registration Certificate as well as 5 year old inspection report.
- f. **Because**, before rejection of the proposal of the petitioner's NGO, the authority concern did not provide any opportunity of hearing and never asked to submit the renewal certificate, whereas the Registration Certificate of the petitioner's NGO was renewed 07.01.2010.
- g. **Because**, from a perusal of aforesaid letter it is clearly reveals that the attitude of the Ministry was absolutely arbitrary, illegal, unconstitutional and discriminative in the eye of law of India, because of, while vide letter dated 26.12.2008 the State Grant-in-Aid Committee, headed by the Principal Secretary of Department of Social Welfare, again recommended in sequence of aforesaid letter of the officer of the respondent no. 1 then why the authority concern were not taken decision in this regard.
- h. **Because**, vide its Minutes, meeting taken place on 26<sup>th</sup> and 27<sup>th</sup> September 2013, the Screening Committee of the respondent no. 1 and 2 screened 44 new cases and 04 cases were reviewed consequent upon submission of further clarification / documents and after deliberation at length the aforesaid committee also reviewed the proposal of the petitioner's NGO.
- i. **Because**, while the recommendation of State Grant-in-Aid Committee was valid for the year, in which the recommendation were received in the Ministry of the respondent no. 1 and 2 then why not they have taken decision





petitioner's NGO as such why not direct the respondents  
to stop his project.

- j. **Because**, there is no justification on the part of the respondent no. 1 and 2 that after resubmission of inspection report as well as recommendation of State Grant-in-Aid Committee, why they have not released the grant in favour of the petitioner's NGO for the financial year concern.
- k. **Because**, the act and action of the respondents are absolutely illegal, arbitrary, none transparent and discriminative in the eye of law.
- l. **Because**, the petitioner's NGO worked accordance with the recommended project and spent huge amounts in this regard. The respondents are fully liable to release the funds for the recommended projects of the petitioner's NGO.
- m. **Because**, the representation cum application dated 01.10.2020 is still pending at the level of the respondents in which the petitioner has again made a request to release the funds to the petitioner's NGO for the concern financial years accordance with the recommendation of State Grant-in-Aid Committee as well as Screening Committee of the respondent no. 1 and 2, same is still pending.

### PRAYER

Therefore, it is most respectfully and humbly prayed that this Hon'ble Court may graciously be pleased :-

- i. To issue a writ, order or direction in the nature of mandamus, directing the respondents to take a decision on the application cum representation dated 2020 which is still pending (*annexed here as Annexure No. 13 to the petition*).



- ii. To issue a writ, order or direction in the nature of mandamus, directing direct the respondents to release the funds to the petitioner's NGO for the concern financial years accordance with the recommendation of State Grant-in-Aid Committee as well as Screening Committee of the respondent no. 1 and 2, otherwise the ends of justice shall be mitigated.
- iii. To issue a suitable order or direction which deem fit, proper and just in the view of case.
- iv. award the cost of the petition.

**Dated : October 11/10/2020**

**Place : Allahabad**

**Rakesh Kumar Tripathi**  
Advo. Roll No. A/ R 1474-12  
Enroll. No. U.P. 6036 / 2000  
Mob. No. 9919050118

**Acharya Rajesh Triapthi,**  
Advo. Roll No. A/A 1682-12  
Enroll. No. U.P. 15015 / 1999  
Seat in the corridor of Court No. 17,  
Hon'ble High Court, Allahabad.  
Mob. No. 9936074290



**Declaration**

**IN**

**Civil Misc. Writ Petition No.**

( Under Art. 226, the Constitution of India, 1950)

**Of 2020**

**District : Farrukhabad.**

**Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,**

.....

**Petitioner.**

**Versus**

**Uniion of India and others.**

.....

**Respondents.**

I, Ram Babu Verma S/o Late Sri Chiraunji Lal, President of **Bhartiya Gramin Shetra Gramodhyog Vikash Samiti**, C/o House No. 1/29 F, Uma Nagar, Ambedkar Coloney, Pilli Kothi, District Aligarh, U.P. bearing Mob. No. 9 and **Aadhar Card No. 300292978351**, is the deponent of the present Civil Misc. Writ Petition hereby declares that no part of the Writ petition is false and nothing material has been concealed and further, due to the COVID-19 pandemic the photo affidavit Centre of this Hon'ble Court is closed hence the deponent – petitioner is unable to swear the affidavit , filed in support of the present Writ Petition. Further, the deponent – petitioner abides himself that he will file proper affidavit within a period of 15 days from the date while the lock of aforesaid center will open.

**Dated : October / /2020**

**Place : Allahabad**

**Ram Babu Verma**

S/o Late Sri Chiraunji Lal

(Deponent - Petitioner )

Through counsel

**Acharya Rajesh Triapthi,**

Advo. Roll No. A/A 1682-12

Seat in the corridor of Court No. 17,

Hon'ble High Court, Allahabad.

Mob. No. 9455716771 70026071200



Minutes of the Meeting of the Screening Committee meeting held on 26<sup>th</sup> and 27<sup>th</sup> September, 2013 for scrutiny/recommending of new cases under the scheme of grant in aid to Voluntary Organizations working for Scheduled Caste.

The screening committee meeting was held on 26<sup>th</sup> and 27<sup>th</sup> September, 2013 under the chairmanship of Shri Sanjeev Kumar, Joint Secretary (SCD). The two non-official members of the Committee present were (i) Shri M.B. Deshmukh, Secretary, Servants of India Society and (ii) Dr. Bezwada Wilson, Convenor, Safai Karmachari Andolan.

2. At the outset, the Committee was informed about the budget allocation for 2012-13 under the scheme, notional allocation fixed for the States/UTs within the budgetary outlay, committed liability for funding existing ongoing projects, number of proposals already recommended by the Screening Committee during last year's but grants are yet to be released and number of proposals received during 2011-12 & 2012-13. In this connection, the Committee was informed that as per the policy decision in the Ministry's Office Order No.1-31/2006-Cdn., dated 05.09.2008 and 23.02.2009, recommendations of the State GIA Committee for new projects would remain valid for the financial year following the year in which they were received and recommendations of the Screening Committee within the Ministry would also remain valid for one year following the year in which they are recommended. The Committee was also informed that as per the Scheme, recommendations of State/UT Grants-in-Aid Committee along with inspection reports for the current year are required each and every year for releasing of grant to any project proposal under the Scheme.

3. The committee adopted the following parameters for selection of new cases during the year 2012-13:-

- (i) Mandatory Recognition of the schools under the relevant statute.
- (ii) As per this Ministry's O.M. No.62-01/2007-cdn dated 27.09.2007, top priority to be given to the projects of schools. Priority for other projects are to be decided by the Committee.
- (iii) Computer education projects should be recognized by DOEACC/Universities/Accreditation bodies.
- (iv) School projects to be considered only where the SC rural female literacy level of the District is not more than 30% as per 2001 census, alternatively such projects in districts where SC female literacy rate is less than that of State level.
- (v) Not more than 2 similar projects are to be allowed in the same district;
- (vi) As a pre-requisite, Proposals are essentially required to be recommended by the State GIA Committee.
- (vii) The project related to control of Blindness should be considered by the Disability Division in the Ministry or Deptt. of Health, Ministry of Health & Family Welfare.



(xiii) In case of projects namely Ten Bedded/Mobile Dispensary the medical/Para medical staff engaged by the Organization should essentially have the requisite Professional qualification and furnish attested photocopies thereof, besides NO OBJECTION CERTIFICATE to run it from competent medical authority in the State.

(ix) Intra state priorities taken into consideration SCs population of the State concerned

(x) Availability of fund allocated under the scheme

(xi) The rejected cases to be returned to the State Govt. concerned.

4. As per general guidelines for assisting Non-Governmental Organizations/Voluntary Organizations, "in order to be eligible for assistance, a voluntary organization should have been registered for a period of at least 2 years and should have been actively working in its sector for a period of 2 years. Such projects will not be taken up for assistance where the activities are proposed to commence after the project is sanctioned and funds released by the Ministry." The NGO should also fulfill other conditions required under the scheme as per checklist prescribed in this regard.

5. The Committee has taken into account the prevailing status of performance in the existing scheme and financial availability for undertaking new projects. While doing so the committee may take note of the fact that the Ministry has already been funding around 600 projects through 400 NGOs spread out in the country.

6. It is evident from the releases for the years 2009-10, 2010-11 and 2011-12 that some States have been receiving substantial shares of the total grant-in-aid released under the Scheme disproportionate their SC population percentage. These States are Andhra Pradesh, Assam, Delhi, Karnataka, Maharashtra, Manipur, Rajasthan & Orissa. In some States namely, Gujarat, Madhya Pradesh, Tripura & Uttaranchal, grant-in-aid share moderately exceed their SC population percentage. Other states namely Bihar, Chhattisgarh, Haryana, Jharkhand, Kerala, Punjab, Tamil Nadu, Uttar Pradesh & West Bengal receive proportionately less grant-in-aid in relation to their SC population percentage.

7. The Committee has also decided that all the proposals not recommended by the Screening Committee should be returned to the concerned State Government in due course.

8. In this meeting, 44 new cases screened and 04 cases those considered in the previous meeting reviewed consequent upon submission of further clarifications/documents by the NGOs, after deliberation at length and decision thereon has been incorporated in the Annexure attached to these minutes.

(M.B. Deshmukh)  
Member

(Dr. Bezwada Wilson)  
Member

(Sanjeev Kumar)  
Chairman of the Screening Committee





Karnataka	Swabhimaan Education Society, Hiriyur, Chitradurga, District- Karnataka	Library	At-Dharmapura Village, Hiriyur Taluk, Chitradurga Distt- Karnataka	Chitradurga	Not specified under the scheme	NGO vide letter 20.08.2013 has stated that State Govt. has clearly stated that State Govt. and NGO has already been sent all the required documents/reports alongwith the State Govt. Recommendation and GIA Committee Report for the year 2010-11 and 2011-12 and also present year report and requested sanction the proposal on priority as the same is pending with your office for the last 3 years. Library project is separate unit for the last 2 years. The proposal was again considered in the Screening Committee meeting on dated 19.09.2012 at Sl. No.4). Hence, not recommended. As per the directions of Screening Committee proposals which was not recommended by the Committee were returned to the concerned State Govts. Same proposal has been resubmitted by the NGO.	The Committee recommended that the proposal may be considered on file on receipt of the current years proposal along with State GIA recommendation..
Haryana	Gramin Youva Vikas Mandal, Gali No. 1, Near Balaji Mandir, Rajound Pandur Road, V.P.O. Serdha, Distt. Kaithal	Computer Training Centre	At Village Keorak, District Serdha, Haryana	Serdha	50	NGO vide letter 22.04.2013 has submitted Annual reports for 2 years and recognition certificate issued by DOACC. and requested to sanction their project. The proposal of the particular voluntary organization was placed before the Screening Committee in its meeting held on 18.03.2013 at Sl. No. 128 and the committee stated that "No inspection report of the State Government is found. As per application commencement of project is 'as per saction of project proposal'. However, the guidelines for assisting the Voluntary Organizations under the scheme inter-alia provides that in order to be eligible for assistance, a voluntary organisation should have been actively working in its sector for a period of two years. Expenditure on computer training is not reflected in the consolidated audited accounts for the year 2010-11 and 2011-12. Accounts of the project not furnished. the proposal does not meet the mandatory requirement of being recognized by DOBACC/ UNIVERSITY/ ACCREDITION BODY.	Organizations representation dated 20.04.2013 has been received on 25.04.2013. The organization has already applied for recognition from National Institute of Electronics and Technology. The Committee recommended that the proposal may be considered on receipt of the current years proposal along with State GIA recommendation..



F.No. 11020/55/2008-SCD-III  
Government of India  
Ministry of Social Justice and Empowerment

Shastri Bhawan,  
New Delhi the 8<sup>th</sup> August, 2013

The President,  
Bhartiya Gramin Shetra Gramodhyog Vikash Samiti,  
Jai Naryan Verma Road,,  
Fatehgarh – Farrukhabad,  
Uttar Pradesh

Subject: Grant in Aid to Voluntary Organizations working for Scheduled Castes

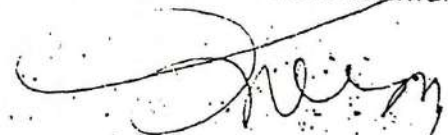
Sir,

I am directed to refer to your letter No. 104 dt. 14.2.2013 addressed to the Ministry of Social Justice & Empowerment (received in the Ministry on 6.8.2013) on the subject noted above and to state that the proposal of your Organization was received from UP Government in 2007. As the proposal was incomplete the matter was taken up with the UP Government. On the basis of a copy of the minutes of Multi-disciplinary Grant in Aid Committee of the UP Government provided to this Ministry vide your letter dt. 9.2.2010, the proposal was examined in the Ministry and it was not recommended for financial assistance on account of the following grounds:

1. The validity of the Registration Certificate had expired on 06.01.2010.
2. The Inspection Report available with the proposal was more than 5 years old, as inspection of the project was conducted on 31.12.2004.

It is, therefore, requested to submit your project proposal for the year 2013-14, complete in all respects to the UP Government for appropriate action.

Yours faithfully,



(M.A. Muraleedharan)

Deputy Secretary to the Government of India





## Registration Progress

100% Completed

Your Unique Id: UP/2017/0177969

**CLICK HERE TO UPDATE YOUR NGO PROFILE ([HTTPS://NGODARPAN.GOV.IN/INDEX.PHP/NGO/PRIMARYNGO](https://ngodarpan.gov.in/index.php/ngo/primaryngo))**

Home (<https://ngodarpan.gov.in/index.php/home>)

About the Portal (<https://ngodarpan.gov.in/index.php/home/about>)

Site Map (<https://ngodarpan.gov.in/index.php/home/sitemap>)

Privacy Policy (<https://ngodarpan.gov.in/index.php/home/policy>)

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प्रेषक  
कमल किशोर श्रीवास्तव  
उप सचिव,  
उत्तर प्रदेश शासन ।

सवा में  
अनु सचिव,  
सामाजिक न्याय एवं अधिकारिता मंत्रालय  
भारत सरकार, शास्त्री भवन,  
नई दिल्ली।

लखनऊ:दिनांक 27 अप्रैल, 2011

सम्मान के लिए अनुभाग-2

विषय-स्वैच्छिक संस्था भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति जय नारायन वर्मा रोड, फतेहगढ़, फर्रुखाबाद के सम्बन्ध में।

महोदय,

उपयुक्त विषयक श्री आर0बी0 वर्मा, अध्यक्ष, स्वैच्छिक संस्था भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति, जय नारायन वर्मा रोड, फतेहगढ़, फर्रुखाबाद के शिकायती-पत्र दिनांक 25.03.2011 की छायाप्रति संलग्नको सहित प्रेषित करते हुए यह कहने का निदेश हुआ है कि प्रश्नगत संस्था के अध्यक्ष द्वारा अपने शिकायती-पत्र में इस बात का उल्लेख किया गया है कि उ0प्र0 शासन के पत्र संख्या-1477/26-2-2010, दिनांक 26.05.2010 सामाजिक न्याय एवं अधिकारिता मंत्रालय, भारत सरकार के गटल सहायक द्वारा उक्त पत्र गायब कर दिया गया है।

उक्त के सम्बन्ध में उल्लेखनीय है कि प्रश्नगत संस्था द्वारा प्रस्तावित योजनान्तर्गत सिलाई, कढ़ाई, बुनाई प्रशिक्षण केन्द्र के सम्बन्ध में उ0प्र0 शासन के पत्र संख्या-3320/26-2-2008-100(73)/2000टी0सी-1, दिनांक 26.12.2008 द्वारा ग्राण्ट-इन-एड कमेटी की संस्तुति सामाजिक न्याय एवं अधिकारिता मंत्रालय, भारत सरकार के पत्र संख्या-11020/55/08-एससीडी-111, दिनांक 23.06.2008 के क्रम में भेजी गई है। इसक अतिरिक्त उ0प्र0 शासन के पत्र संख्या-1477/26-2-2010, दिनांक 26.05.2010 द्वारा पुनः स्थिति स्पष्ट कर दी गई है। कृपया प्रश्नगत प्रकरण में नियमानुसार अग्रतर कार्यवाही करने का कष्ट करें।  
संलग्नक- उपरोक्तानुसार।

भवदीय

(कमल किशोर श्रीवास्तव)  
उप सचिव

संख्या 956/26-2-2011-तददिनांक

प्रतिभाषित श्री आर0बी0 वर्मा, अध्यक्ष, स्वैच्छिक संस्था भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति, जय नारायन वर्मा रोड, फतेहगढ़, फर्रुखाबाद के सम्बन्ध में।



आज्ञा से  
(कमल किशोर श्रीवास्तव)  
उप सचिव

पत्रांक - 551

दिनांक - 3-3-2011

सेवा में,

अवरसचिव  
भारत सरकार  
सामाजिक न्याय और अधिकारिता मन्त्रालय  
शास्त्री भवन नई दिल्ली

विषय :-

सूचना अधिकार अधिनियम एक्ट वर्ष 2005 के अन्तर्गत भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति जयनारायन वर्मा रोड फतेहगढ़ फर्रुखाबाद उ० प्र० के सम्बन्ध में

महोदय,

कृपया उपर्युक्त विषयक के आदेश की पत्रांक 60 ए०एम०/26.02.07 / (38) /98 जो अनुसचिव उ० प्र० शासन समाज कल्याण अनुभाग-2, दिनांक 28 जून 2007 की प्रस्ताव पत्रावली पत्रवाहक द्वारा संयुक्त सचिव सामाजिक न्याय और अधिकारिता मंत्रालय की सी०आर० डायरी नं०-4143 दिनांक 20.07.07 को एस०सी०डी० तृतीय अनुभाग में जमा की गयी।

सूचना अधिकार अधिनियम एक्ट वर्ष 2005 के अन्तर्गत पत्रावली पर विचार किया गया है। उन आदेशों की फोटो प्रतिया संलग्न हैं।

मेरे द्वारा सूचना अधिकार अधिनियम एक्ट की वर्ष 2005 को फिर लिखा गया जो जवाब आया उन आदेशों की फोटो प्रतिया संलग्न हैं।

मेरे द्वारा आपसे विनय पूर्वक अनुरोध किया जा रहा है। सूचना अधिकार अधिनियम एक्ट वर्ष 2005 के अन्तर्गत प्रस्ताव पत्रावली पर अब तक मंत्रालय द्वारा क्या कार्यवाही की गई है। क्योंकि 31 मार्च से पहले ही मुझे अवगत कराया जाये।

आपकी महान कृपा होगी।

आदर - सहित

संलग्न फोटो प्रतिया - 20

पत्रव्यवहार पता

रामबाबू वर्मा (अध्यक्ष)

निवासी व पोस्ट लोयाबादशाहपुर

जनपद - एटा

3066(CR)  
3/3/11 प्रभारी/INCHARGE  
केन्द्रीय रजिस्ट्री/Central Registry  
सामाजिक न्याय और अधिकारिता मंत्रालय  
Min. of Social Justice & Empowerment  
शास्त्री भवन, नई दिल्ली  
Shaastri Bhawan, New Delhi

भवदीय  
आर० वी० वर्मा



✓  
पे०, भवनाथ,  
विशेष सचिव,  
उ० प्र० शासन ।

सेवा में,  
संपन्न सचिव,  
सौभाग्य न्याय एवं प्राधिकारिता संग्रहालय,  
भारत सरकार, शास्त्री भवन, नई दिल्ली ।

समाग अल्पा ७७०-२

गणतः दिनांक: २६ मई, २०१०

विषय: सू० संख्या भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास समिति जयनारायण  
वर्मा रोड फतेहगढ़, कर्नाबाद, ३०१७० हेतु ग्रान्ट इन रेड कमेटी की  
संरूपित के संप्रदत्त में ।

महोदय,

उपर्युक्त विषयक शासन के पत्र सं०-३३२०/२६-२-०७-१००१७३६/२०००,  
टा० ०-१, दिनांक २६ दिसम्बर, २००८ की छायाप्रति संलग्न कर प्रेषित करते  
हूँ हूँ यह कहे का निर्देश हुआ है कि प्रनगत संख्या द्वारा प्रस्तावित कार्यक्रम  
हेतु ग्रान्ट इन रेड कमेटी की संरूपित उक्त संदर्भित पत्र में उल्लिखित स्थिति  
अनुसार प्रदान की जा चुकी है ।

संलग्नक-पछोपरि ।

भवनाथ,

विशेष सचिव ।

सं०-1477/1/26-2-2010 तददिनांक ।

उपर्युक्त की प्रतिलिपि अध्यक्ष भारतीय ग्रामीण क्षेत्र ग्रामोद्योग विकास  
समिति जयनारायण वर्मा रोड, फतेहगढ़, कर्नाबाद को सूचनायें प्रेषित है ।

आज्ञा से,

भवनाथ  
विशेष सचिव ।



क्रमांक 6914  
7/11/10

अनन्तर



### सोसाइटी के नवीकरण का प्रमाण-पत्र



नवीकरण संख्या 1961 2009-2010

फाइल संख्या 1 Ag-7913

एतद्वारा प्रमाणित किया जाता है कि भारतीय ग्रामीण क्षेत्र ग्रामादी

विकास समिति / लोथा बादशाहपुर पोखरास जिला

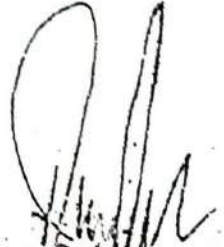
रहा को दिये गये रजिस्ट्रीकरण प्रमाण-पत्र संख्या 1427/1989-9

दिनांक 06-1-1990 को दिनांक 06-1-2010 से पान्च वर्ष

की अवधि के लिए नवीकृत किया गया है।

200/- रुपये की नवीकरण फीस सम्यक् रूप से प्राप्त हो गयी है।

दिनांक 7/11 2010

  
सोसाइटी के रजिस्ट्रार,  
जहार प्रदेश।

