

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 15974 of 2014.

Date of Decision : 13.02.2015.

Gramin Yuva Vikas Mandal Serdha (Regd.)

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Karan Singh, Advocate for the petitioner.

Mr. Gaurav Goel, A.A.G., Haryana.

K. Kannan, J. (Oral)

The petitioner has a grievance that an application for grant-in-aid for running Computer Training Centre through scheme floated by Government of India required recommendation from the State Government but such a recommendation had not been forwarded to the Union, despite the petitioner fulfilling all the eligibility criteria and the requisite details through reports stating the petitioner was eligible.

On the last of hearing on 05.01.2015, I had directed the State to take instructions on how after a meeting of the Committee held on 14.01.2014 finding that the petitioner-organization could be recommended for grant-in-aid, ultimate decision was, however, not taken not to provide such assistance through a decision on 15.05.2014. Learned State counsel places on record an affidavit of Joint Secretary to the Government of Haryana, Welfare of Scheduled Caste & Backward Classes, reproducing therein the orders passed on the communication sent by the Union on 22.11.2013 to the following effect :-

“the screening committee set up in this department to consider new proposal of the voluntary organization working for scheduled caste received in the department with the recommendation of the state govt. in its meeting held on 26th and 27th September, 2013 considered

the proposal of Gramin Youva Vikas Mandal Gali No. 1, Near Balaji Mandir, Rajound Pundir Road, V.P.O. Serddha, Distt. Kaithal, Haryana for running a Computer Training Centre and has recommended to the department that the case may be processed on file, in case, the state govt. recommends the proposals for the current financial year.

In the light of the above recommendation if the state govt. is of the view that the NGO is eligible for assistance you are, requested to forward the complete proposals in r/o the NGOs to this department immediately.”

The requirement of the State, therefore, was to consider whether the petitioner fulfilled the eligibility criteria and to forward the proposals. However, it appears that the State has not forwarded the proposals on the ground of a decision taken not to make any fresh recommendations.

I cannot support such an arbitrary decision not to forward any proposal when the communication received from the Union was only to examine the eligibility of the petitioner and forward its proposals. The proposals ought to have stopped with examining whether the petitioner was eligible or not. If the union was the decision making authority to issue the grant-in-aid or not, the decision not to forward any proposal was not with the State.

I direct to respondents No. 2 to 4 to forward the appropriate proposal considering the eligibility of the petitioner in the light of the field inspection report which had been already made and the same shall be done within a period of four weeks from the date of receipt of copy of the order.

If there is a delay in sending the proposals for favourable consideration of the grant-in-aid by the Centre, the same may be condoned in view of the fact that the lapse cannot be attributed to the petitioner but only to the State Authorities.

The writ petition is allowed in the aforesaid terms.

February 13, 2015.
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(K. KANNAN)
JUDGE