

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10440 of 2016

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Baba Bhim Rao Ambedkar Industrial Training Institute Co-production
Centre

.... Petitioner/s

Versus

The Union of India & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Adv.

For the State : Mr. Chandra Shekhar Singh, A.C. to G.A. 10

For the Respondent No. 7 : Mr. Ranjeet Kumar Pandey, Adv.

For the Respondents No. 1 & 2: Ms. Kanak Verma (CGC)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

6 11-04-2017 The petitioner is claimed to be a non-governmental organization running an institute in the name of Baba Bhim Rao Ambedkar Industrial Institute, Co-Production Centre at Bathuwa Bazar in the district of Gopalganj.

This application has been filed seeking direction to the respondents to ensure release of grant-in-aid to the said organization as per the scheme of Department of Social Justice and Empowerment, Government of India. A communication, dated 08.11.2014, has been brought on record, by way of Annexure-8 to this application, made by the District Magistrate, Gopalganj addressed to the Directorate of Employment & Training, Labour Resources Department, Govt. of Bihar, whereby, the District Magistrate has recommended inclusion of the said



organization under the Public Private Partnership (PPP) Scheme.

This is not in dispute that the petitioner is not registered under the Societies Registration Act. A press communiqué has been brought on record by way of Annexure-12 to rejoinder filed on behalf of the petitioner, wherein, eligibility conditions for non-governmental organizations to be entitled for grant-in-aid, under the scheme of the Department of Social Justice and Empowerment and Schedule Castes welfare Ministry, Govt. of India, are mentioned.

Learned counsel for the petitioner has submitted that since the District Magistrate has recommended his case for grant-in-aid, it should be presumed that the said NGO fulfills all the requisite criteria for receiving grant under the said scheme of the Govt. of India.

The said submission, in my opinion, cannot be accepted in view of admitted fact that the petitioner-organization is not registered under the Societies Registration Act, which is one of the conditions to become eligible to receive grant.

Counter affidavit has been filed on behalf of the Union of India, stating therein, that the proposals for release of grant in favour of the non-governmental organizations by the Ministry of Social Justice and Empowerment, Govt. of India, are being



processed online by its portal. The application for grant-in-aid to the petitioner has not been received and the petitioner has not adduced any evidence to claim that proposal has been sent to Union of India through the State Government of Bihar.

In view of facts as aforesaid, no positive direction can be issued as sought by the petitioner. However, the petitioner shall have liberty to apply for release of grant-in-aid under the scheme of the Union of India by following the procedure prescribed under such scheme. If it is done, the Court expects that the case of the petitioner for grant-in-aid shall be considered in accordance with provisions of the scheme expeditiously.

With the aforesaid observation, this application stands disposed of.

(Chakradhari Sharan Singh, J.)

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