

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION NO.130 OF 2019

Ashok S/o Janardhan Taur,
Age:45 Years, Occu.Agri.,
R/o: At Post: Dhalegaon,
Tq: Georai
Dist:Beed

PETITIONER

VERSUS

1. The Union of India,
through its Secretary,
Ministry of Agriculture, Cooperation
And Farmers Welfare, Krishi Bhavan,
New Delhi - 110001
2. The Chief Secretary,
Government of Maharashtra,
Mantralaya, Mumbai-32
3. The Collector, Beed,
District Beed
4. Agriculture Insurance Company of India Ltd.,
Through its Authorized Officer,
Stock Exchange Tower, 20th floor, east part,
Dalal Street, Fort, Mumbai

RESPONDENTS

Mr Shambhuraje V. Deshmukh, Advocate for the petitioner;
Mr S. B. Deshpande, ASGI for respondent No.1;
Mr S. S. Dande, AGP for respondents/State

**CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.**

DATED : 15th NOVEMBER, 2019

ORAL ORDER:

By the present petition, which is titled as public interest litigation, the issue of immediate steps to be taken to provide solace to the agriculturist/farmers in the State, is raised.

2. The petition aims at the benefits to be provided to the farmers under the scheme floated by the Central Government and to be implemented by the respective State Governments. The scheme is known as “Pradhan Mantri Peek Bima Yojna”. The State of Maharashtra is one of the States to implement the scheme. The copy of the said scheme is placed on record at Annexure-B. It may not be necessary for us to refer the scheme in detail, suffice it to say that this scheme is floated to achieve a laudable object of providing the benefit to the farmers in the nature of crop insurance, who are the sufferers of the damage of the crops, either on account of natural calamities or certain other situation, whereby there is an enormous damages to the standing crops of the agriculturist.

3. It may not be out of place to state that along with this object, this scheme also refers to an attempt to achieve the object of upliftment of the farmers by providing the modern techniques of farming, qualitative growth in farming and risk coverage of the farmers.

4. It is the grievance of the petitioner that due to an unforeseen situation, namely, the untimely heavy rains, the agriculturists were put to sufferance of damage of their crops. In view of this situation, it is justifiable expectation of farmers/agriculturists community to be provided with necessary assistance from the Government under the various schemes, like the above referred “Pradhan Mantri Peek Bima Yojna”.

5. It is submitted in the present petition that the petitioner had approached the Ministry of Agriculture as well as the office of the Agriculture Insurance Company, situated at Delhi by representations and it is further grievance of the petitioner that no immediate steps in the nature of drawing the panchanama for verification of the actual damage/loss caused to the crops and in turn, to provide the necessary relief are taken by the authorities.

6. Perusal of the scheme shows that it provides various committees at different levels to deal with the issues. The committees are referred to in clauses 15, 16 & 17. Clause 16 states that the District Level Committee is constituted for the minute supervision of the agricultural scenario in the State and it also would monitor various issues being faced by the agriculturists.

7. The District Level Monitoring Committee consists of the District Collector, being President of the Committee, the General Manager, District Central Co-operative Bank - member, the Manager, Lead Bank - Member, the Agricultural Development Officer, Zilla Pariashad - member and the District Superintending Agricultural Officer, Member Secretary of the Committee. It would not be out of place to state that it is expected of the committee to submit a periodical report i.e. report after every 15 days to the relevant insurance company and it would be further important to note that it is also the responsibility of the District Level Monitoring Committee to establish an agency to draw panchanama, verifying the beneficiaries. Then there is District Level Monitoring Committee, then the State Level Co-ordination Committee, then the Committee at the Divisional Commissioner level and then the State Level Committee. It will not be out of place again to mention that the scheme refers to the remedial measures in the form of action to be taken by these various committees.

8. It is stated that the District Level Committee is provided to take steps to redress the complaints or the grievances. In case, the District Level Committee fails to take appropriate steps, then the Divisional Level Committee is to do the needful and even if the Divisional Level Committee fails to take steps, the complaints are to be submitted to the State Level

Committee. There is also stipulation of period for the District Level Committee to decide the grievances/complaints and it is stated that the State Level Committee is duty bound to decide the complaints within a period of 15 days from the receipt of the complaint/grievance. It is again made clear in the scheme that the decision of State Level Committee is binding on all the agencies under the scheme. It may not be out of place to state that all these committees are entitled to call upon the experts in the fields i.e. experts from Universities, from the Metallurgy Departments, Research Institutes, Commodities Boards, State Technical Support Units, etc. Then, a reference is made specifically in respect of the insurance claims in clause 24 of the scheme.

9. Considering the above referred remedial measures and the very fact that the petitioner has only submitted representation to the office situated at Delhi and has forwarded certain e-mails to the Collector only, we are of the opinion that the present petition can be disposed of with a liberty to the petitioner to approach the District Level Committee headed by the Collector.

10. We further state that, considering the issue raised in the petition and the urgency involved, the petitioner may submit the copy of the present petition as a representation to the District Level Committee. In case, this

exercise is undertaken by the petitioner within one week from today, the District Level Committee to pass appropriate orders or take appropriate steps within three weeks thereafter.

With the aforesaid directions, the petition is disposed of.

Authenticated copy of this order be supplied to the learned A.G.P. appearing for State Authorities i.e. the Chief Secretary and the Collector, Beed. The learned A.G.P., in turn to communicate this order to the Collector, Beed, who is the Chairman of District Level committee, for further action.

in view of the order passed in the petition, no separate orders are required to be passed on Civil Application No.13363/2019 and the same is disposed of accordingly.

[ANIL S. KILOR, J.]

[PRASANNA B. VARALE,J.]