

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

WRIT PETITION NO.438 OF 2020

**SHAMRAO BHIMRAO MIRGE
VERSUS
THE UNION OF INDIA AND OTHERS**

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Advocate for the Petitioner : Shri Mundhe Shrimant
Standing Counsel for Respondents 1 to 3 : Smt.S.S. Kulthe
Advocate for Respondents 4 and 5 : Shri G. S. Rane

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**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 24th September, 2021

Per Court :-

1. The petitioner claims to be a folk artist and was selected as one amongst 354 folk artists for financial assistance under the central quota at the rate of Rs.2000/- per month w.e.f. 01.04.2008 to 31.03.2009. He has been informed by the Under Secretary to Government of India vide communication dated 07.08.2008 clearly setting forth in the subject as well as in the body of the communication, that he would be getting financial assistance at the rate of Rs.2000/- per month for one year. The grievance of the petitioner is that this financial assistance should be continued for life. He has drawn our attention to the grounds

set out in the memo of the petition.

2. The learned counsel representing the respondents/ Union of India relies upon the affidavit in reply filed on behalf of the respondents by the Under Secretary, Government of India, Ministry of Culture, New Delhi. She then points out the communication at page numbers 61, 62 and 63 vide which, the petitioner was called upon to submit the following documents :-

- (a) Adhaar Card,
- (b) Latest address proof
- (c) Passport size photograph
- (d) Latest income certificate
- (e) Copy of PAN card.

The data updation proforma and format of income certificate, life certificate and bank authorization letter were enclosed along with the said letter at page 62.

3. The learned counsel for the respondents further submits that these documents were not tendered by the petitioner. Even on 11.06.2014, vide letter at page 23 of the petition paper book, the petitioner was also informed to submit certain records so that his proposal could be considered. There is no dispute that the petitioner was paid Rs.24,000/- for the period 01.04.2008 to

31.03.2009.

4. In view of the above, we find that, since this issue is within the domain of the Ministry of Culture, Government of India and as the first communication placed before us dated 07.08.2008 by the Under Secretary to Government of India addressed to the Pay and Accounts Officer, Ministry of Culture with a copy earmarked to the petitioner, indicates that he was selected for such financial assistance only for one year, same cannot be termed as being life pension. The Ministry of Culture has not used the term as pension so as to enable the petitioner to contend that he was selected for pension meaning thereby, family pension. It is apparent that it was purely a financial assistance under the central quota and that too for one year.

5. The learned advocate for the petitioner submits that he is willing to tender all documents as were asked for at pages 61 to 63 of the petition paper book and he would submit those documents to the Under Secretary, Government of India, Ministry of Culture, New Delhi.

6. In view of the above, this Writ Petition, being devoid of merit, is dismissed.

7. Nevertheless, if the petitioner desires to respond to

the communication at page 62 and supply all documents that have been asked for, he would be at liberty to do so and the respondents/ Ministry of Culture is at liberty to consider the said request on it's own merits and take a decision expeditiously.

kps (S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)