

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13564 of 2021

T.S.Gopalan

... Petitioner

Vs.

The Chairman

The National Institution for Transforming India

Government of India

NITI Aayog

204, NITI Bhavan, Sansad Marg

New Delhi 110 001.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondent leading to its communication F.No.Q-11050/21/2015-Agri (Pt) FTS:10950 dated 26.03.2021 and quash the same and direct the respondent to refer the two proposals of the petitioner for upliftment of the society to one or more independent economists to study, submit a report about its feasibility and benefit to the society at large.

For Petitioner: Mr.P.Raghunathan

ORDER

(Made by the Hon'ble Chief Justice)

This petition appears to be a sequel to W.P.No.2107 of 2021 which was disposed of by an order dated February 03, 2021.

2. In the earlier petition, the petitioner had sought a writ in the nature of mandamus directing the NITI Aayog to implement certain reforms in the agricultural sector for employment generation and rural development to provide a long term safety net. While disposing of the earlier petition, this Court observed that since the NITI Aayog was an expert body tasked

with taking necessary measures to improve the economy in every respect, a mandamus of the nature that the petitioner sought could not be issued. In any event, it was a matter of policy and NITI Aayog, being a body making policies, was free to adopt such policies as appeared best suited to such body.

3. The petitioner's proposals were required to be considered by the NITI Aayog and an appropriate decision communicated.

4. By its letter dated March 26, 2021, the NITI Aayog has referred to the previous order of this Court and communicated to the petitioner, inter alia, that adequate measures are already being taken to reform the agricultural sector and improve the social security of the people associated therewith. The policy-making body has also indicated that the suggestions made by the petitioner would be kept in mind in such regard.

5. The petitioner says that though the relevant letter professes to have considered the proposals put forth by the petitioner, there is no reference to the same nor any discussion on the various aspects of the suggestions.

6. All that this Court could have done was to refer the suggestions put by the petitioner, a public spirited individual, to the NITI Aayog for its consideration. Once such body says that it has duly considered the suggestions and would keep the same in mind, there is no further order that can be made. It is elementary that in matters of policy, the Court scarcely interferes; particularly since the Court may lack in expertise in the relevant field. It is not for this Court to either study the petitioner's suggestions or force the NITI Aayog to implement the same in preference to the policy in such regard now being followed.

7. No further action need be taken on the matter. W.P.No.13564 of 2021 is disposed of. There will be no order as to costs. WMP No.14431 of 2021 is closed.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

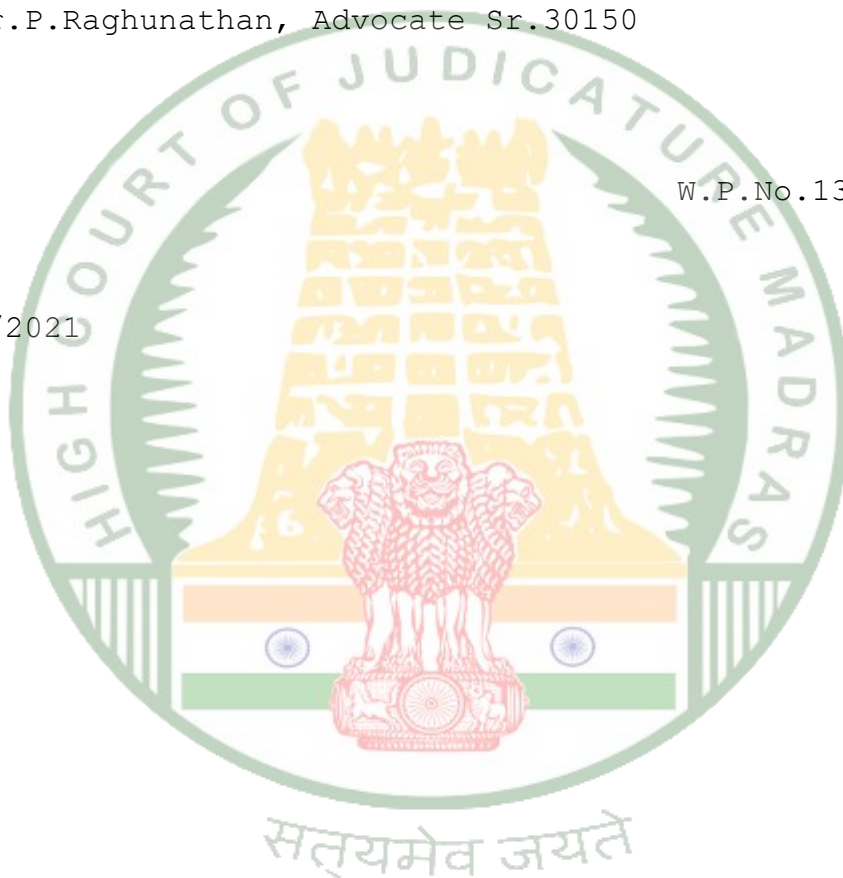
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To

The Chairman,
The National Institution for Transforming India,
Government of India,
NITI Aayog,
204, NITI Bhavan, Sansad Marg
New Delhi 110 001.

+1cc to Mr.P.Raghunathan, Advocate Sr.30150

W.P.No.13564 of 2021

sra[col]
srg 02/07/2021



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