24.03.2022
Ct. No. 13
Sl.14
pk

W.P.A. 4573 of 2022

Debasis Mondal
Versus
State of West Bengal and others

Mr. Samiran Giri,
Ms. Madhumita Patra,
Ms. Soma Chakrborty
....for the petitioner.

Mr. Subhabrata Datta,
Mr. Banibrata Datta
...for the State.

The writ petitioner is aggrieved by rejection of his application for setting up Custom Hiring Centres (CHC) of Farm Machinery for the year 2021-2022.

The writ petitioner applied before the appropriate authority in his individual capacity and has submitted a total financial outlay of Rs.39,81,953/- and odd.

The petitioner's application was rejected. The ground for rejection is non-mention of total financial outlay in the application.

Learned counsel for the State produces a copy of the Scheme and reference is made particularly to sub Clause (g) of Clause (XII) which is set out herein below:

> *"g)* ***Strengthening of existing CHCs****: Existing CHCs may apply for strengthening of their CHC provided they fulfil the conditions as laid down below:*

i) The Strengthening of CHCs owned by commercial organized sectors or groups will be given priority. At least 20% of total fund allocation for CHC as subsidy in a district would be utilized for strengthening of established CHC.

These CHCs should be in operation with regular repayment of bank loan for a minimum period of four years.

ii) The CHC should have maintained up-to-date record of use of machinery and returns there from.

iii) The minimum TFO (Total Financial Outlay) for projects for scaling up will be Rs. 40.00 lakh.

iv) Machine selection criteria would be as per guideline. Subsidy admissible will be 40% of the TFO.

v) The sum total of Subsidy sanctioned earlier and the present subsidy amount will not exceed Rs. 100.00 lakh.

vi) Priority should be given for utilization of at least 20% of total fund allocation for CHC as subsidy in a district for strengthening of established CHC."

It appears from the above that in the scheme preference is given to group of farmers who make joint application.

It is a pre condition for eligibility under such scheme for a second time beneficiary that the financial outlay should be above Rs.40 lacs. The petitioner's financial outlay was less than Rs.40 lacs. The petitioner, therefore, did not qualify under the scheme in the first place. The language used in the letter of rejection, could however have been more happily worded.

In that view of the matter, no relief can be granted to the petitioner.

Accordingly, the writ petition is dismissed.

There will be no order as to costs.

(Rajasekhar Mantha, J.)