

CWP-14419-2017

Date of Decision: 26.07.2022

Ram Kumar and others

....Petitioners

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. S.S. Sahu, Advocate  
for the petitioner

Ms. Tanushree Gupta, DAG Haryana

Mr. Rajesh K. Sheoran, Advocate  
for respondent No. 2

\*\*\*\*\*

SUDHIR MITTAL, J. (Oral)

The petitioners are allegedly small farmers. Haryana Renewable Energy Department (HAREDA) invited applications from such farmers in the year 2015 for provision of Solar Water Pump connections. The petitioners applied but were not granted connections and, thus, the present writ petition was filed.

Reply on behalf of respondent No. 2 has been filed, according to which the applications filed in the year 2015 were not accepted as the data showed that the village of the petitioners fell in 'dark zone'. A 'dark zone' is one where ground water level is low and sinking of tubewells is not thought to be prudent. The policy was revised in the year 2018 to the extent that connections were to be released to those small farmers who had already sunk tubewells. Thus, fresh applications were invited and all the petitioners except for petitioners No. 4 and 7 submitted their applications which were accepted. Thus, the writ petition deserves to be dismissed.

Learned counsel for the petitioners submits that in the year 2015, 90%

was reduced to 75% in the year 2018. The reason for non-grant of connections in the year 2015 only was the higher amount of subsidy. When the subsidy amount was reduced, connections were granted. The action is malafide and the petitioners are entitled to grant of 90% subsidy. Even petitioners No. 4 and 7 are entitled to the same relief as they had applied in the year 2015 but could not apply subsequently in the year 2018.

The argument is misconceived and misplaced to say the least. There is no denial to the effect that policy was revised in the year 2018. There is also no denial of the fact that the village of the petitioners falls in a zone where ground water level is low and depleted. HAREDA was entitled in law to effect a policy change and there is no arbitrariness involved in the said action. Infact, a very reasonable decision has been taken to grant connections to those who already possessed tubewells. So far as petitioners No. 4 and 7 are concerned they can not be granted any relief as they did not file applications pursuant to modified policy.

In view of the above, the writ petition stands disposed of.

**26.07.2022**  
*reena*

**( SUDHIR MITTAL )**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No