

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12481 of 2017

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1. Ganga Das Son of Narayan Das Resident of Village-Enayatpur, P.S.-Ben, District-Nalanda.
 2. Birendra Kumar Son of late Ramswarup Resident of Village-Khaira, P.S.-Ben, District-Nalanda.
 3. Jay Raj Chauhan Son of Satydev Chauhan Resident of Village-Khaira, P.S.-Ben District-Nalanda.
 4. Janki Prasad Son of Budhlal Prasad Resident of Village-Sikandra, P.s.-Silao District-Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Agriculture Department, Govt. of Bihar, Patna
2. The Director, Department of Agriculture, Agriculture Department Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda at Bihar Sharif
4. The District Agriculture Officer, Nalanda at Bihar Sharif
5. The Block Development Officer, Ben, Nalanda
6. The Block Agriculture Officer, Ben Nalanda
7. The Union of India through Director of Agriculture, Agriculture Department Govt. of India, New Delh
8. The Branch Manager State Bank of India, Rajgir Branch, Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Prasad, Advocate
For the Respondent/s	:	Mr.J.P. Sharma, AC to Ex- Gp21
	:	Mr. Anjani Kr. Mishra, Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 14-05-2025

1. The Writ petition is filed to direct the
respondent to grant subsidy amount of Rs. 60,000/-



with statutory bank rate interest, in bank account of the petitioners for purchasing power tiller for agriculture purpose, under scheme of National Agriculture Development, whereby for purchasing power tiller the Government grants subsidy of Rs. 60,000/-.

2. The brief facts culled out of the Writ petition are that the petitioners are farmers and they have submitted their application for granting subsidy for purchasing power tiller. Accordingly they have filed up forms with all requisites information with documents, before the Block Development Officer, Ben, Nalanda. Therefore, the petitioners contacted to Branch Manager, State Bank of India, Rajgir Branch. According to the Government for the total price of power tiller Rs. 1,59,800/-, the subsidy amount of Rs. 60,000/- has to be paid to the Bank account of the petitioners by the respondents. The State Bank of



India, Rajgir Branch has financed Rs. 1,59,800/- loan including the subsidy amount and the said amount was paid to M/S S.K. enterprises authorised dealer TBS Mitsubishi, Shakti Power tiles Tractors/Engine/sales/service/spares NH-31, Patna Ranchi Raod.

3. It is contended by the Learned counsel for the petitioner that inspite of the scheme, the respondents have not deposited the amount of Rs.1,60,000/- in their bank accounts, for which they have made several representations to the respondents but the respondents did not respond for which they were constrained to file the Writ petition.

4. A detailed counter affidavit was filed by Respondent No. 3 to 6 denying all the allegations made in the Writ petition. It is specifically contended in the Writ petition that the Government of India as well as the State Government have issued scheme



for agriculture mechanization under National Agriculture Development Scheme, under which farmers are being provided subsidy on purchase of Agricultural machine equipment, on certain conditions including purchase of such equipment in Krishi Mela. As per guidelines issued for the Agricultural Mechanization Scheme, 2012 IT, sanction letter of application of eligible farmers for grant of subsidy, has to be provided to them at least two days prior to the date of Krishi Mela. As per the documents submitted by the petitioners, it is evident that they have not made any application, two days prior to the date of Krishi Mela which is mandatory provision and further ignoring the guidelines, purchased the power tillers, by availing loan amount from banks. The petitioner no. 1 has purchased the power tiller on 02.08.2012 and petitioner no. 3 purchased the power tiller on 07.08.2012 whereas



Krishi Mela was organized in the month of from 18.08.2012 to 10.09.2012 on the eve of Rajgir Mahotsave, 2012. Prior to that Krishi Mela was held from 29.07.2012 to 30.07.2012. Similarly, father of the petitioner no. 2 namely Ramswaroop Noniya purchased the power tiller on 02.01.2012 whereas Krishi Mela was organized in the relevant month on 21.04.2012 and petitioner no. 4 has purchased the power tiller on 03.02.2013 without participating in Krishi Mela organized in the relevant month of 28.02.2013.

5. It is specific contention of the Learned counsel for the respondents that these purchases were made by the petitioner, either prior or subsequent to the Krishi Mela and they have not purchased the power tillers in Krishi Mela and therefore, they are not entitled for any subsidy in this case.



6. The scheme specifically disclose that the farmers will be benefited, if the power tillers are purchased in Krishi Mela organized every month in the District on the specific dates, therefore, prayed to dismiss the Writ petition.

7. During the course of argument, it is specific contention of the Learned counsel for the petitioners that the representations of the petitioner were still pending with the respondent and prayed to direct the respondents to dispose of the representations of the petitioners.

8. Considering the entire material on record that it is a factual aspect which can only be decided by the competent authority, this Court is of the considered view that the respondents shall dispose of the representation which are pending before them within two months from the date of receipt of this order



9. With the above said observation, the Writ
petition is disposed of.

10. Interlocutory Application(s), if any, shall
also disposed of.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.05.2025
Transmission Date	N/A

