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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10527/2016&CM APPL. 41268/2016**

CENTRE FOR PROMOTION OF SOCIAL CONCERNS (CPSC)

.....Petitioner

Through: Mr. Sanjay Parikh, Senior Adv. with
Mr. Aagney Sail & Ms. Kritika, Advs.

versus

UNION OF INDIA

.....Respondent

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Shailendra Kumar Mishra & Mr.
Priyam Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **28.11.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India, 1950 seeks the following prayers:-

“a) To quash/set aside the impugned order dated 29.10.2016 as being illegal, unconstitutional and void ab initio;

b) Declare that the registration of the Petitioner will be deemed to be renewed/stands renewed after expiry of 90 days from 14.03.2016, that is, on or before 12.06.2016 and in any case, before 31.10.2016.

c) Direct that the Respondent shall renew the registration under the FCRA of the Petitioner-trust after expiry of 90 days from 14.03.2016, that is, on or before 12.06.2016 and in any Case, before 31.10.2016.

d) To pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.



FOR THIS ACT OF KINDNESS THE PETITIONER HEREIN
AS IN DUTY BOUND SHALL EVER PRAY.”

3. The present petition has been filed by the petitioner/Trust seeking quashing of an order dated 29.10.2016 by which the application for renewal of registration of the petitioner/Trust under Foreign Contribution (Regulation) Act, 2010, was rejected.

4. The petitioner is stated to be a charitable trust and was registered on 17.11.1981. It was registered with the Ministry of Home Affairs under the FCRA (Foreign Contribution Regulation Act, 1976) on 29.08.1985. Thereafter it is pointed out that the same registration was being renewed from time to time. It is submitted that the validity of the registration was expiring on 31.10.2016 and renewed under the provisions of Section 16(1) of the FCRA was applied and the same was rejected by the impugned order dated 29.10.2016 by giving the following reasons:-“*On the basis of field agency report, the competent authority has decided to refuse your application for renewal*”.

5. Learned Senior Counsel appearing on behalf of the petitioner relies upon a judgment passed by the learned Division Bench of this Court in **Indian Social Action Forum (INSAF) v. Union of India, 2025: DHC: 6019-DB**, to submit that in similar circumstances, the order rejecting renewal of the registration under FCRA was set aside by the learned Division Bench by observing and holding as under:-

“6. We are primarily concerned about the relief claimed by the petitioner, as regards the quashing of the impugned decision



whereby the renewal was rejected.

7. The fact remains that the order impugned, whereby the renewal was rejected, was sans reasons or even the basic considerations. It was only by 'one-line e-mail' that the respondents/Union of India rejected the prayer of the petitioner for renewal of the certificate for the period from 2016-2021.

8. Though the respondent/Union of India has tried to justify the said order by narrating the reasons in the affidavit, such conduct on the part of the respondent/Union of India cannot be said to be germane to the cause, in the sense that the orders impugned cannot be substantiated by reasons which are narrated through an affidavit placed on record by the respondents/Union of India. Such conduct of the respondent/Union of India reflects complete non-application of mind and can also be termed as in violation of principles of natural justice, thereby amounting to denial of opportunity. 9. In such an eventuality, the fact remains that the impugned order, in our opinion, cannot be sustainable.

10. There is one more facet to the matter, that for a period from 2016 to 2021, i.e. the period for which petitioner had sought renewal, in light of provisions under Section 16 read with Section 12 (4) of Act of 2010, there are certain subsequent developments vis-à-vis the law that has undergone certain changes.

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12. In that view of the matter, we deem it appropriate to allow the petition thereby quashing and setting-aside the impugned communication dated 21st October, 2016.

13. We direct the respondents/Union of India to consider the request of the petitioner for renewal of certificate afresh having regard to the aforesaid observations.

14. We make it clear that it shall be open for the petitioner to submit all such material which according to him shall justify his claim for grant of renewal. 15. We expect the respondent/Union of India to deal with the request of the petitioner in light of the material to be made available by the petitioner, before it in support of the claim for grant of renewal of



certificate, pursuant to the provisions of Section

16 of the Act of 2010 referred (supra) and passed appropriate order within a period of 90 days from today.

16. We have adhered to the timeline of 90 days, in view of the proviso to Sections 12 and 16 of the Act of 2010, which provides for grant/renewal of certificate of registration.

17. We are equally sensitive to the fact that the respondent/Union of India is required to conduct an enquiry in the matter of grant of renewal pursuant to sub-section (4) of Section 12 of the Act of 2010 as the said provisions has to be read with Section 16 of the Act of 2010 which provides for renewal of the certificate.”

6. Relying on the aforesaid judgment, the learned Senior Counsel submits that in case the order rejecting the renewal is set aside, the petitioner may be permitted to apply afresh for renewal in terms of the aforesaid Act.

7. Learned counsel appearing on behalf of the respondent submits that in terms of 12 (6) of the FCRA, the terms of the registration for 5 years had expired and therefore, the petitioner would have to apply afresh and not for renewal as it was not renewed within the time.

8. Heard learned counsel for the parties and perused the records.

9. The judgment of the learned Division Bench, relied upon by learned Senior Counsel squarely applies on the facts of the present case as well. It is noted that in this case also the petitioner had applied for renewal well within time in terms of the provisions of the aforesaid Act and the same was rejected by the impugned order. The impugned order also as noted by the learned Division Bench is one line email rejecting the prayer of renewal without giving any further reasons. In the present petition also, the respondent Union



of India has filed an affidavit giving reasons for rejecting the prayer. However, as noted in the aforesaid judgment, by the learned Division Bench, that would not change the nature of the order initially passed by the respondent.

10. In these circumstances, the impugned order dated 29.10.2016 is set aside. The petitioner will be at liberty to apply afresh for renewal of certificate, which shall be considered by respondent Union of India in accordance with law and pass appropriate orders within a period of 90 days under the proviso of Section 16 (3) of the FCRA Act.

11. The petition is disposed of with the aforesaid direction.

AMIT SHARMA, J

NOVEMBER 28, 2025/nk/ah