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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12989/2018

AKHIL BHARTIYA SWAIKSHIK SANGATHAN MORCHA,
(REGD.)Petitioner

Through: Mr. Prashant Rana, Advocate.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC for
respondent no.1 with Mr. Amit Rana,
Advocate.

Mr. Vivek Goyal, CGSC for
respondent no.2 with Mr. Gokul
Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.07.2025

1. By way of present writ petition, the petitioner seeks the following prayers:

(A) Issue appropriate writ(s)/ order/ direction to the Respondents to appoint Chairperson as per memorandum and article of association of CSWB within the period of two months;

(B) Issue appropriate writ(s)/ order/ direction, quashing / setting aside the order dated 26.10.2017 wherein the Ministry of Women and Child Development has directed CSWB that for the period upto 31.12.2016 also the case of clearance of past liabilities may be routed through the respective State Governments;

(C) Issue appropriate writ(s)/ order/ direction to CSWB and the Ministry to clear all liabilities as per scheme documents till 31.12.2016;

(D) Issue appropriate writ(s)/ order/ direction to the respondent authorities to carry out an audit of all the creches in all the states and UTs who were up and functional on 01.01.2017 and those who are found to be in order and further direct them to make necessary payments in a time bound manner to ensure that they do not close down on account of non-having of promised funds;



(E) Issue appropriate writ(s)/ order/ direction to the respondents to process the settlement of account and release of funds on the basis of scheme document read alongwith circular dated 29.06.2011.

2. At the outset, learned CGSC for UOI draws the attention of this Court to the Status Report dated 20.09.2024 filed on behalf of respondent No.1 and submits that in light of the same, the present petition has become infructuous.

3. At this stage, it is deemed apposite to refer to the aforesaid Status Report; relevant extracts of the same are reproduced herein:

“4. That the Rajiv Gandhi National Crèche Scheme (RGNCS), a Central Sector Scheme, was in force till 31.12.2016. Central Social Welfare Board (CSWB) was one of the implementing agencies of crèches of RGNCS, meant for children (age 6 months up to 6 years) of working mothers. From 01.01.2017, the Ministry implemented National Crèche Scheme (NCS) as a Centrally Sponsored Scheme (CSS) through State/UT Governments. State/UT Governments were asked to take over the functional crèches which were earlier being operated through various implementing agencies (including CSWB) under RGNCS.

5. That under National Crèche Scheme (NCS) w.e.f. 01.01.2017, following cost sharing among Centre, State/UT Governments and NGO was kept as follows-

(a) 60:30:10 among Centre, State Governments & NGOs running the crèches,

(b) 80:10:10 among the Centre, State Governments & NGOs running the crèches for the 8 North Eastern States and 3 Himalayan States and;

(c) 90:10 between the Central Government and the NGOs running the crèche for the Union Territories.

(d) State Government would ensure the 10% contribution from the NGOs actually running the crèches and provide documentary evidence/proof of 10% share.

6. That the Ministry of Women and Child Development issued guidelines of Mission Shakti relating to integrated women empowerment programme vide letter dated 14th July, 2022 (ANNEXURE-I). As per guidelines of Mission Shakti, Ministry of Women and Child Development re-organised the crèches and introduced Palna component w.e.f 1st April 2022 under sub scheme of Samarthya of Mission Shakti. Palna is the Centrally Sponsored Scheme (CSS) for the children (age 6 months to 6



years) of working mothers to be implemented through State/UT Governments. Palna component of Mission Shakti consists of two types of crèches i.e. Anganwadi-cum-Crèches (A WCC) and Standalone Crèches.

7. That the Expenditure Finance Committee (EFC) in the Ministry of Finance allowed establishment of 17,000 (Seventeen thousand) AWCC during 15th Finance Commission period (FY 2021-2022 to FY 2025-2026). Funding pattern for Palna component between Centre and State/UT Governments has been kept in the following cost sharing ratio-

Centre: State and UT with legislature	60:40
Centre: NER and Special Category States	90:10
Centre: UT without legislature	100:0

8. Under Palna component of Mission Shakti, the Ministry has approved 5631 Anganwadi cum Crèches till financial year 2023-24.

9. That the Central Social Welfare Board (CSWB) has since been closed by the Government vide Notification dated 04.04.2024 (ANNEXURE-II). For the pending liabilities of the erstwhile schemes i.e. Rajiv Gandhi National Crèche Scheme and National Crèche Scheme, the proposals are considered by the Ministry, if they are received through the respective State Government/ UT Administration. Such proposals are examined and funds are released through the State/ UT, as per the erstwhile scheme guidelines and compliance of financial norms issued by the Ministry of Finance, Government of India from time-to-time.”

4. A perusal of the aforesaid Status Report would show that after the discontinuation of the Rajiv Gandhi National Crèche Scheme (RGNCS), the concerned Ministry implemented National Crèche Scheme (NCS) as a Centrally Sponsored Scheme (CSS) through State/UT Governments, which took over the functional creches previously under the RGNCS. Subsequently, under the Mission Shakti, the crèches were re-organised by the concerned Ministry and the Palna component was launched w.e.f 1st April 2022 under its sub scheme, Samarthya. Pertinently, the Central Social Welfare Board (CSWB) has since been closed by the Government vide Notification dated 04.04.2024. The funds are released towards the pending



liabilities under the erstwhile schemes in accordance with the respective scheme guidelines and in compliance with the financial norms issued by the Ministry of Finance.

5. In light of the above clarification on behalf of the UOI, it is evident that no cause survives insofar as the present petitioner is concerned.

6. In view of the above, the present petition is disposed of.

MANOJ KUMAR OHRI, J

JULY 9, 2025/rd