



2026:AHC:25067-DB

AFR

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 42092 of 2025

Pramod Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shams Uz Zaman
Counsel for Respondent(s)	:	C.S.C.

Court No. - 1

HON'BLE AJIT KUMAR, J.

HON'BLE SWARUPAMA CHATURVEDI, J.

(Per Swarupama Chaturvedi, J.)

1. Heard Sri Shams Uz Zaman, learned counsel for the petitioner and learned Additional Chief Standing Counsel for the State respondents.

2. This writ petition under Article 226 of the Constitution of India has been filed by the petitioner seeking issuance of an appropriate writ, or direction in the nature of certiorari quashing the impugned order dated 24.06.2022 passed by the respondent no. 3, Sub-Divisional Magistrate, Bidhuna, District Auraiya, whereby the claim of the petitioner under the 'Mukhyamantri Krishak Durghatna Kalyan Yojana' has been rejected, and further praying for a direction in the nature of mandamus to the respondent no. 2 to forthwith process and grant the admissible financial assistance/compensation to the petitioner under the aforesaid scheme along with statutory interest.

3. Brief facts of the case are that on 21.02.2022, the father of the petitioner, namely Late Ajay Kumar Singh met with a tragic accident near Rambharna Railway Track and died on the spot after being hit by a moving train, resulting in multiple grievous injuries. The incident was duly reported to the local police and the concerned railway authorities.

4. It is a matter of fact that the State Government has brought a welfare scheme known as 'Mukhyamantri Krishak Durghatna Kalyan Yojana' to provide financial assistance to the families of farmers who die in accidents. In this regard, the Additional Chief Secretary, Government of Uttar Pradesh, issued a Government Order dated 28.02.2020 laying down the guidelines for extending benefits under the said scheme. Accordingly, after the death of his father, the petitioner submitted a claim under the aforesaid scheme after completing all required formalities.

5. Learned counsel for the petitioner contends that the petitioner submitted an application before the Tehsil Office, Bidhuna under the Mukhya Mantri Krishak Durghatna Kalyan Yojna, 2020, enclosing all necessary documents stating that his father Ajay Kumar Singh died accidentally after being hit by a train near Rambharna Railway Track. It is stated that the Death Certificate of the deceased Ajay Kumar Singh, issued by the competent authority on 23.03.2022, confirms that the death occurred due to accidental injuries.

6. It was further submitted that the Family Register (Parivar Register) issued by the competent revenue authority on 26.03.2022 recorded the names of the deceased Ajay Kumar Singh and his legal heirs, including the petitioner Pramod Kumar Singh, thereby establishing the petitioner's status as the lawful heir entitled to claim benefits under the Mukhya Mantri Krishak Durghatna Kalyan Yojna, 2020. As per the Station Master's memo and subsequent investigation conducted by the concerned police authorities, it has been clearly recorded that the deceased Ajay Kumar Singh died due to grievous injuries sustained in a train accident and pursuant thereto, a Panchnama was prepared and Post-Mortem Examination conducted on 22.02.2022, which establishes that the cause of death was accidental in nature resulting from multiple injuries for being hit by a moving train. There is no finding of suicide or any other foul play by a third party, thereby substantiating that the death squarely falls within the ambit of an "accidental death" as defined under Clause 2 of the Mukhya Mantri Krishak Durghatna Kalyan Yojna, 2020.

7. It was also contended on behalf of the petitioner that the Khasra-Khatauni of the agricultural holding standing in the name of the deceased Ajay Kumar Singh clearly demonstrated that he was a recorded tenure holder and an

active cultivator of agricultural land. The said revenue record established beyond doubt that the deceased was a "Krishak" (farmer) within the meaning of the Mukhya Mantri Krishak Durghatna Kalyan Yojna, 2020 and, therefore, fully eligible to claim the benefits under the said welfare scheme.

8. It was further contended that the Lekhpal's Report dated 05.04.2022, prepared after local inquiry, further corroborated accidental death of the deceased, Ajay Kumar Singh, which occurred due to he being hit by a train. The report of the Lekhpal recorded that it could not be ascertained as to whether the incident was a case of accident, suicide, or homicide. Such a speculative remark, without any cogent evidence or investigation, was wholly arbitrary and of casual nature. It is pertinent to mention that no criminal case, FIR, or police report has ever suggested suicide or foul play.

9. Larned counsel appearing for the petitioner submitted that the Sub-Divisional Magistrate (SDM), Bidhuna vide letter dated 02.05.2022, recommended that petitioner be treated as ineligible without any concrete basis or cogent evidence. Subsequently, the Sub-Divisional Magistrate passed impugned order dated 24.06.2022, whereby the petitioner's claim under the Mukhya Mantri Krishak Durghatna Kalyan Yojna, 2020 was rejected, declaring him "ineligible" on the ground that the deceased was not travelling by train at the time of the incident and that it could not be confirmed whether the death was accidental or suicidal. The SDM's conclusion, based on conjecture and without any evidence, amounted to an arbitrary and mechanical denial of welfare benefits envisaged by the scheme and hence, the impugned order deserved to be quashed.

10. Learned counsel representing state authorities attempted to defend the impugned order and submitted that the case of suicide was outside the scope of the benefits provided under the scheme but he could not demonstrate any document or evidence which led to the conclusion that the death was suicide and not the accidental death.

11. As appeared from the records that the death of the deceased Ajay Kumar Singh was not under dispute and it was also not disputed that he was depending upon farming for his livelihood and that he was sole bread earner of his family. The death certificate annexed with the petition demonstrated

the accidental injuries that could have been considered as conclusive evidence of the accidental death.

12. After perusal of records, it also appears that the order dated 24.06.2022 was passed along with several pending applications and disposed of in a cursory manner through a tabular chart, where the outcome of each application was written in a line or two. In the present case, it was written that relying on the report of the Sub-Divisional Magistrate, Bidhuna, District Auraiya, it was decided that the deceased was not travelling by train and that there was no evidence to ascertain whether the death was accidental or suicidal. The report further noted that agricultural land stood in the name of the deceased's father in Village Kaithna and that no information was received from anyone in the village regarding the suicide of the deceased, and thereafter it was written that the death was not to be treated as accidental, and consequently, the dependents were ineligible for benefits under the Mukhyamantri Krishak Durghatna Kalyan Yojana.

13. Learned counsel for the petitioner further submitted that the Additional Chief Secretary U.P. Government has issued Government Order dated 28.02.2020 for determination of the guidelines for providing benefits under the scheme of "Mukhyamantri Krishak Durghatna Kalyan Yojana" and present case is fully covered under Clause 2 of the Government Order dated 28.02.2020. Relevant part of the guideline is reproduced below for ready reference:

"Subject: Guidelines for the implementation of the "Chief Minister's Farmer Accident Welfare Scheme" in case of accidental death/disability of farmers in Uttar Pradesh.

The State Government has decided to implement the "Chief Minister's Farmer Accident Welfare Scheme" with the objective of providing social security to the families of farmers in case of accidental death or disability. The following guidelines are being issued for this purpose:

1. This scheme will be effective from September 14, 2019.

2. Eligibility (Definition of Farmer):

This scheme is for farmers residing in Uttar Pradesh who suffer

accidental death or disability. A farmer is defined as follows:

(1) Account holder/co-account holder recorded in the revenue records, i.e., the land register (Khatauni).

OR

(2) Earning members of the account holder/co-account holder's family whose primary source of livelihood is agricultural income from the land registered in the name of the account holder/co-account holder.

OR

(3) Landless individuals who cultivate land obtained on lease or on a sharecropping basis, and whose main source of livelihood is agriculture on such leased or sharecropped land. Lessees include tenant farmers, government lessees, and private lessees.

4. Age:

The farmer's age should be between 18 and 70 years on the date of death/disability.

5. Coverage of the Scheme:

(1) If a farmer suffers accidental death/disability due to fire, flood, lightning, electric shock, snakebite, attack/injury by animals/creatures, drowning in the sea, river, lake, pond, or well, storm, falling from or being crushed by a tree, house collapse, accident involving train/road/aircraft/other vehicles, landslide, earthquake, gas leak, explosion, falling into a sewer chamber, or any other cause, then financial assistance will be provided to the farmer/legal heir(s) under this scheme."

14. After reading relevant provisions in the policy and the clause explaining coverage of the scheme, it is clear that in case of death or disability also, the benefits would not be given if the same has not occurred due to suicide or it is not the outcome of any crime. In the facts of the case, there is absolutely no evidence to show that the death of the deceased falls under any of these exceptions and it is just a statement made by authorities which also states

that they could not find any evidence to prove that the death was a suicide, which cannot be the justified reason to deny benefits of the scheme to the petitioner.

15. It appears that the impugned order dated 24.06.2022 relies on the report of the Sub-Divisional Magistrate, Bidhuna, District Auraiya, which states that no information could be obtained from the villagers or elsewhere to determine whether the death was a suicide. The purpose of the welfare scheme is to advance the object of the policy. Where the report does not conclusively establish the probability of suicide, denial of the benefit amounts to an arbitrary exercise of discretion, based on a purely mechanical presumption against the petitioner, in deciding entitlement under a state welfare scheme.

16. This Court in case of ***Gayatri Devi vs. State of U.P. and Others, 2025 SCC OnLine All 8086***, has considered similar issue and held as under:-

"17. From a perusal of the Government Order dated 28.02.2020, it is evident that the object of the 'Mukhyamantri Krishak Durghatna Kalyan Yojana' is to provide financial assistance to the dependents of farmers who die in accidents. The scheme does not make it mandatory that the agricultural land must be recorded in the name of the deceased farmer alone. What is required to be examined is whether the deceased was primarily engaged in agricultural work and whether agriculture was the main source of livelihood for him and his family. In rural set-ups, it is a common practice that land continues to remain recorded in the name of the elder family member, while other members of the family carry on agricultural activities jointly."

17. In ***Smt. Gayatri Devi (supra)*** has also relied upon judgement of the Supreme Court in ***Union of India Vs Prabhakaran Vijaya Kumar, (2008) 9 SCC 527***, and thereafter held that:

"21. Applying the principle laid down by the Hon'ble Supreme Court that beneficial and welfare schemes must receive a liberal and purposive interpretation so as to advance their object and not defeat it on technical grounds, the petitioner's claim could not have been rejected in casual manner because from a bare perusal of the guidelines, it is evident that

the scheme is intended to protect persons and families who are engaged in farming activities and have agriculture as their main source of livelihood. In the facts of the present case, the land stands recorded in the name of the deceased's grandfather in the Khatauni, and there is no material on record to show that the deceased, his father, or his wife had any other source of income. The family was dependent upon farming for its survival, particularly in view of the submission made by the petitioner in the rejoinder that the same land was mortgaged with the Bank of India by the deceased at the time of purchasing a tractor in the year 2011. This fact ought to have been properly examined by the authorities instead of rejecting the petitioner's claim in a casual manner.

22. In view of the above discussion, this Court is of the considered view that the rejection of the petitioner's claim is based on an unduly drawn narrow interpretation of the scheme and merely based on assumptions not supported by proper enquiry, and therefore, the writ petition deserves to be allowed and is hereby allowed. The impugned order dated 25.08.2021 passed by the respondent no. 2, District Magistrate, Kannauj, rejecting the petitioner's claim under the 'Mukhyamantri Krishak Durghatna Kalyan Yojana' and the information order dated 31.07.2021 issued by respondent no. 3 are hereby quashed. The matter is remanded to the District Magistrate, Kannauj, to reconsider the petitioner's claim afresh in accordance with law and in the light of the observations made hereinabove, after affording an opportunity of hearing to the petitioner and after conducting a proper enquiry, if required. The said exercise shall be completed expeditiously, preferably within a period of eight weeks from the date of production of a certified copy of this order. No order as to costs."

18. In view of the above legal proposition which is fully applicable to the facts of this case, in our considered view, the writ petition deserves to be allowed. Thus the writ petition is **allowed** and the impugned order dated 24.06.2022 passed by respondent no. 2, District Magistrate, Auraiya, is accordingly quashed insofar as it relates to the petitioner's application regarding deceased Ajay Kumar Singh. The matter is remanded to the District Magistrate, Auraiya, for fresh consideration of the petitioner's claim

in accordance with law. The petitioner may file a fresh representation within four weeks from the date of receipt of a certified copy of this order, which shall be decided by the competent authority by a reasoned and speaking order within a further period of eight weeks. No order as to costs.

(Swarupama Chaturvedi,J.) (Ajit Kumar,J.)

February 4, 2026

#Vikram/-