

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C).NO. 29300 OF 2012 (J)

PETITIONER(S):

**ROHITH R.NAIR, AGED 22 YEARS
S/O. RAMACHANDRAN, VENKATESHWARA HOUSE, AMBILERI
KALPETTA.P.O., WAYANAD DISTRICT-673121.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA**

RESPONDENT(S):

- 1. THE UNION OF INDIA
REPRESENTED BY ITS JOINT SECRETARY (SCHOLARSHIPS)
MINISTRY OF HUMAN RESOURCE DEVELOPMENT DEPARTMENT
DEPARTMENT OF HIGHER EDUCATION
GOVERNMENT OF INDIA, A 1/W3, CUIZON ROAD BARRACKS
KASTURBA GANDHI MARG, NEW DELHI-110001.**
- 2. SPECIAL OFFICER FOR SCHOLARSHIPS
DIRECTORATE OF COLLEGIATE EDUCATION
SANSKRIT COLLEGE (ANNEXURE), PALAYAM
THIRUVANANTHAPURAM-695001.**
- 3. DIRECTORATE OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM-695001.**

**BY SRI. N.NAGARESH, ASG OF INDIA
BY GOVERNMENT PLEADER SRI. MOHAMMED SHAFI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-02-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS

EXT.P1: TRUE COPY OF THE CENTRAL SECTOR SCHEME OF SCHOLARSHIP FOR COLLEGE AND UNIVERSITY STUDENTS INTRODUCED BY THE GOVERNMENT OF INDIA, MINISTRY OF HUMAN RESOURCE DEVELOPMENT.

EXT.P2: TRUE COPY OF THE PRESS NOTE ISSUED BY THE SECRETARY OF THE FIRST RESPONDENT IN RESPECT TO THE CENTRAL SECTOR SCHEME OF SCHOLARSHIP.

EXT.P3: TRUE COPY OF THE CERTIFICATE OF MARKS ISSUED BY THE BOARD OF HIGHER SECONDARY EXAMINATION TO THE PETITIONER.

EXT.P4: TRUE COPY OF THE LETTER DATED 23-1-2010 OF THE SPECIAL OFFICER FOR SCHOLARSHIP, DEPARTMENT OF DIRECTORATE OF COLLEGIATE EDUCATION.

EXT.P5: TRUE COPY OF THE LETTER DATED 16-2-2010 ISSUED BY THE PETITIONER TO THE SECOND RESPONDENT.

EXT.P6: TRUE COPY OF THE LETTER DATED 19-2-2010 ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER.

EXT.P7: TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER TO THE JOINT SECRETARY (SCHOLARSHIPS) OF THE FIRST RESPONDENT.

EXT.P8: TRUE COPY OF THE REPLY DATED 17-3-2010 OF THE SECTION OFFICER OF MINISTRY OF HUMAN RESOURCE DEVELOPMENT.

EXT.P9: TRUE COPY OF THE LETTER DATED 31-3-2010 SUBMITTED BY THE PETITIONER TO THE JOINT SECRETARY, (SCHOLARSHIP) MINISTRY OF HUMAN RESOURCE DEPARTMENT, DEPARTMENT OF HIGHER EDUCATION.

EXT.P10: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER UNDER RIGHT TO INFORMATION ACT DATED 2-6-2010 TO THE SPECIAL OFFICER FOR SCHOLARSHIPS DIRECTORATE OF COLLEGIATE EDUCATION.

EXT.P11: TRUE COPY OF THE LETTER DATED 19-6-2010 ISSUED TO THE PETITIONER FROM THE SECOND RESPONDENT FROM THE DIRECTORATE OF COLLEGIATE EDUCATION.

RESPONDENTS' EXHIBITS : NIL

OKB.

//TRUE COPY//

P.A. TO JUDGE

K.HARILAL, J.

W.P(C). No.29300 of 2012

Dated this the 9th day of February, 2015

JUDGMENT

The petitioner is a student studying for B.Tech. Degree course. He secured 99% marks in the Plus Two course of the year 2008. He belongs to a low income family and was finding it difficult to meet day-to-day expenses for pursuing his higher studies. He is eligible to get scholarship under the Central Sector Scheme for Scholarship for College and University Students introduced by the Government of India, Ministry of Human Resource Development for the year 2008-2009. Hence, he had applied for the said scholarship. However, when the list of candidates containing 1536 names eligible for the Central Sector Scholarships 2008-2009 was published, the name of the petitioner was not included in the said list. When the petitioner enquired about it, it was informed through Ext.P11 communication that the petitioner's name is included as serial No.100 in the supplementary list containing 481 students and the same is being considered by the 1st respondent and so far the 1st respondent has

not taken a decision on the second list. In the above circumstances, the petitioner has filed this writ petition seeking a direction to the competent authorities to consider his grievance at the earliest and pass orders accordingly.

2. The learned Government Pleader submits that the Government of India has informed that 2324 numbers of scholarship were allotted to the State for the year 2008-2009, and, accordingly, a list containing the names of 2324 students was forwarded to the Government of India on 21/2/2009. But the Ministry of Human Resource Development, Government of India, has requested to furnish a revised list of students with their bank account number and IFSC code. Pursuantly, the 2nd respondent had submitted a list of 1536 students, whose bank account numbers and IFSC codes are available to the 2nd respondent on 14/3/2009. The bank account numbers and IFSC codes of the remaining 788 students could not be included along with the list of eligible students of 1536 as the same was not available. The 2nd respondent has taken earnest efforts to obtain the bank details of these remaining 788 students over telephone. Through advertisements they have collected the said details of 481 students and the same was informed by a supplementary list of

these 481 students and forwarded to the Ministry of Human Resource Development (MHRD) on 24/3/2009. But the MHRD has not taken a decision on the said supplementary list so far and the petitioner's name is included as serial No.100 in the said supplementary list containing 481 students. In short, the Ministry of Human Resource Development has approved and sanctioned the scholarship of 1536 students only as per the first list and the second supplementary list containing names of 481 students is pending for the approval of the MHRD.

3. But going by Ext.P8 letter dated 17/3/2010 sent by the MHRD to the petitioner it is seen that the said department has informed the petitioner that selection of the candidate is the responsibility of the State Education Boards and requested that the petitioner may approach the concerned State Education Board to redress his grievance. What is understood from Ext.P8 letter is that MHRD is not aware of the pendency of second supplementary list on their table awaiting approval.

4. The learned Central Government Standing Counsel submitted that he has no instruction from the 1st respondent as regards pendency of the supplementary list containing the names of 481 students.

5. Going by Ext.P4, it is seen that the 2nd respondent has intimated the petitioner that his name is included as serial No.100 in supplementary list containing the names of 481 students and forwarded to the 1st respondent on 1/12/2009. But no order has been passed on the second list so far and the scholarship will be given to the petitioner on the basis of the approval of the said list by the 1st respondent. Hence, I find that now a supplementary list containing the names of 481 eligible students for getting scholarship is pending before the 1st respondent since 1/12/2009 and the 1st respondent has not taken a decision on that supplementary list so far.

6. Having regard to the facts revealed from Exts.P1 to P11 and the submissions at the bar, the 1st respondent is directed to take a decision on the supplementary list containing the names and details of 481 students eligible to get scholarship sent by the 2nd respondent on 1/12/2009 within a period of three months from today and inform the 2nd respondent accordingly.

This writ petition is disposed of as above.

Sd/-
K.HARILAL, JUDGE

okb.