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

+ W.P.(C) 7693/2015

ROSHANI PRABHA

..... Petitioner

Through: Mr Praveen Kumar, Adv.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr Vivek Goyal, CGSC with Mr
Dhirendra Yadav, Adv. for Resp./ UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

29.10.2015

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1. The petitioner is aggrieved by the fact that even though she is entitled to scholarship under the scheme titled as: Innovation in Science Pursuit for Inspired Research (in short the INSPIRE), she has not been accorded the said scholarship for the period commencing from 2013.

1.1 It is the petitioner's case, which is not in dispute, as is evident from the communication issued by the respondents, that she had applied for scholarship for higher education under the said scheme, in 2013.

2. The petitioner, who is currently a second year student of B.Sc. (Botany Hons.) in Daulat Ram College, University of Delhi, had applied for INSPIRE Scholarship, on 09.09.2013, at which point in time she stood admitted as a first year student in the aforementioned college.

2.1 The INSPIRE Scholarships are given to those eligible students who fall in the top 1% of higher scoring students under the scheme formulated by the Government of India, Ministry of Science and Technology, Department of Science and Technology.

3. The petitioner claims that though she was selected for INSPIRE Scholarship, the intimation with regard to the same was received by her, for the first time, only via letter dated 10.03.2015. Though the exact date of receipt of letter dated 10.03.2015 is not indicated by the petitioner, it is averred that the said letter was received “after some delay”.

3.1 In terms of the letter dated 10.03.2015, the petitioner was required to supply requisite information by 31.03.2015, lest the “provisional offer” for INSPIRE Scholarship was forfeited. This communication, apparently, was issued to those applicants, who had not completed their documentation for award of INSPIRE Scholarship. In so far as the petitioner was concerned, she was required to submit her State Bank of India’s (SBI) bank account details, performance report and the marksheet, via the notified web portal.

4. The petitioner claims that she attempted to upload the requisite documents, on 17.04.2015, via the web portal; an attempt in which she was not successful.

4.1 Accordingly, the petitioner sought appointment with, one, Ms Rupashree Dash, Scientist-B, in the M/o Science & Technology, Department of Science & Technology, who, incidentally, is the author of the communication dated 10.03.2015. According to the petitioner, she was not granted an interview by Ms Rupashree Dash, which propelled her to write to the Secretary to the Govt. of India, M/o Science & Technology, Department of Science & Technology, vide letter dated 30.04.2015. By this letter, the petitioner articulated her difficulty in not getting through to Ms Rupashree Dash for the purposes of submission of the necessary documentation. However, along with this letter addressed to the Secretary, Government of India, the petitioner, enclosed the necessary documentation which, inter alia,

included the details of her SBI bank account, the performance report (2013) and B.Sc. (Hons.) 1st year marksheet.

5. Consequent thereto, on 15.05.2015, the respondents wrote to the petitioner. In the said letter of 15.05.2015, it was, inter alia, indicated that since the petitioner's documents were not received in time, the offer for grant of INSPIRE Scholarship stood withdrawn. Notably, along with letter dated 15.05.2015, for the first time, according to the petitioner, the respondents enclosed the letter dated 24.06.2014, by which, intimation of provisional offer of INSPIRE Scholarship was made to her.

6. The petitioner being aggrieved by the communication dated 15.05.2015, wrote a letter dated 18.06.2015 to the Minister of Science and Technology, Govt. of India. In this letter, the petitioner, once again, articulated her grievance.

6.1 The respondents, however, in response, vide letter dated 01.07.2015, adhered to the stand taken in the letter dated 15.05.2015. The respondents, thus, took the stand that since the petitioner did not furnish the requisite details, the offer made to her, stood withdrawn. In this letter, the respondents reiterated the fact that apart from non-receipt of the SBI's account details, they had not received the petitioner's performance report and marksheet as well.

7. Being aggrieved by the aforesaid, the petitioner moved this court by way of the instant writ petition. This writ petition came up for hearing on 13.08.2015. The petition was, however, stood over to 31.08.2015. On that date, notice in the petition was issued and time was granted to the respondents to file a counter affidavit, albeit within four weeks. The matter was made returnable today. To date, no counter affidavit has been filed on

behalf of the respondents.

8. The record shows that, though the counter affidavit is not on record, the respondents' stand in the matter is clearly articulated in the letters dated 10.03.2015 and 01.07.2015. While, the respondents have clearly conceded that the petitioner was provisionally selected for INSPIRE Scholarship, her case was not processed as, according to them, the relevant information had not been supplied. In so far as the petitioner is concerned, according to the respondents, she was deficient in not supplying three pieces of information. These being: (i) the details of her SBI's bank account; (ii) Performance report; and (iii) marksheet. The petitioner, it appears, has supplied the said information, if not earlier, at least, on 30.04.2015, when, she wrote to the Secretary, Government of India, attached to the Department of Science and Technology.

8.1 As indicated above, in the two letters written by the respondents, the only reason which has emerged for denial of INSPIRE Scholarship, to the petitioner, is the non-receipt of information within the prescribed time. On the other hand, it is the petitioner's case that she did not receive the earlier intimation dated 24.06.2014, and that, the letter dated 10.03.2015 was received late.

9. In view of the fact that there is no counter affidavit filed, the assertions of the petitioner have gone untraversed. In any event, as indicated above, it is not as if the respondents have taken the stand that the petitioner is not eligible, based on the documentation which was filed by her. The only ground taken for withdrawal of offer to grant INSPIRE Scholarship is the delay in submission of the documents. The delay in this case, according to me, is not substantial.

10. In these circumstances, the petition is allowed with the caveat that if, the documentation filed by the petitioner is in order, the respondents will accord the INSPIRE Scholarship to the petitioner with due expedition, though not later than two weeks from today. The petition is, accordingly, disposed of.

RAJIV SHAKDHER, J

OCTOBER 29, 2015

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