

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4798 of 2018

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Gaurav Kumar, son of Balbir Prasad, resident of Loco Colony, Khagaul
Railway Quarter No. 363/B, P.O. Khagaul, P.S. Khagaul, District Patna
... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar
3. The Director, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar
4. The Deputy Director, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar
5. The District Welfare Officer, Patna

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma
For the Respondent/s : Ms. Kumari Amrita -GP3

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-03-2018 The petitioner seeks a direction commanding the respondents to sanction scholarship for pursuing commercial pilot licence training in view of the letter no. 11017/01/2015-SCD V (Vol. II), dated 30.03.2016, issued by the Ministry of Social Justice and Empowerment, Government of India.

It is the case of the petitioner that he is entitled for scholarship under the scheme of the Ministry of Social Justice and Empowerment. A copy of the said scheme has been brought to my notice by learned Counsel appearing on behalf of the petitioner. The said scheme lays down, *inter alia*, as follows:-

“Income Ceiling and Eligibility

1. The annual family income ceiling



from all sources for eligibility under the Scheme is Rs.4.50 lakh. The general selection criteria among the eligible candidates of any institution must be the merit. However, if for the last available slot in an institution, there are more than one students with equal marks, preference may be given to the student with the lowest annual family income.

2. The SC students, who secure admission in the notified institutions, according to the norms prescribed by the respective institutions, are eligible for the scholarship under the scheme to the extent of the number of scholarships allocated to the institutions concerned.

3. The scholarship is merit based and the top ones in each institutions (subject to their eligibility) to get. In case the number of students admitted exceeds the number of awards, then the scholarship will be restricted to the top ones in the inter-se merit list institute-wise. In case the institute finds that the number of eligible candidates in the 1st year are less than the number of scholarships allotted to it, the balance scholarships may be offered to students studying in 2nd, 3rd and 4th year, etc. on the basis of inter-se merit of previous year's results giving priority to those with higher



number of years left to complete their respective courses i.e., 1st year student is to get priority over the 2nd year student and so on.”

The petitioner is son of an Officer, working in Indian Railways, and, admittedly, his income is above Rs. 6,00,000/- per annum.

Learned Counsel appearing on behalf of the petitioner has submitted that his father is not supporting him and an affidavit in this regard has been furnished by the petitioner and in that view of the matter, according to him, the authorities cannot deny the benefit under the scheme. He further submits that the petitioner is landless.

In view of the admitted fact that the income of the petitioner's father is more than Rs. 6,00,000/-, in my view he cannot be said to be covered under the scheme, which has been brought to the Court's notice.

This application has no merit and is accordingly dismissed.

Let the copy of the said scheme, which has been shown to me, be kept on record.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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