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

+ LPA 667/2017

AMITA GIRI & AGAM GIRI Appellant

Through: Ms. Jyoti Singh, Sr. Advocate/
Amicus Curiae with appellant in
person.

versus

LT GOVERNOR & ANR Respondents

Through: Mr. Ramesh Singh, Standing Counsel
for GNCTD with Mr. Naushad
Ahmad Khan, ASC and
Mr. Sandeepan Pathak, Advocate

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **18.01.2018**

The appellant had approached this Court for several directions including that the nomadic tribe certificate be issued to enable her daughter to enjoy the fee waiver/concession.

The petition was premised on the basis that the writ petitioner belongs to a nomadic tribe and is entitled to such certificate and consequently, the benefits.

The material on record indicates as to whether the nomadic tribes should be included in scheduled casts or scheduled tribes, is engaging the attention of a Commission set up by the Central

Government on 02.01.2015. The Single Judge, having regard to this fact, quite naturally, declined the relief. This Court had on the first date of hearing issued the notice to the respondents and at the same time observed that the determination of benefit for those entitled to it, in the eventuality of such tribe or group of people being held entitled to scheduled casts/scheduled tribes status, would consume time and that this would defeat the purpose, as far as the writ petitioner's daughter is concerned. The Court had then desired the respondents to indicate, whether the Government of NCT of Delhi (hereinafter referred to as the 'GNCTD') would be in a position to grant some monetary benefits to ensure that the minor child Agamya Khantwal Giri would be able to continue with her school education.

On 10.11.2017 the Standing counsel for the GNCTD stated that the GNCTD have decided to disburse the monetary benefit to the minor child for the duration of her school education. The Court accordingly adjourned the appeal to 08.12.2017, 13.12.2017, 19.12.2017 and to 10.01.2018. On the latter date, the Court was informed that the proposal was accepted in part by the Chief Minister and sent to the Lieutenant Governor. The Court was also apprised of the fact that the Revenue Authorities had stated that the appellant's income certificate was not available and that consequently, there was no proof of her strained financial circumstances. The Court therefore requested the Director of Education to be present, which she did. After recording her statement that the Revenue Department would carry out the exercise of income verification, the matter was

adjourned for today. Mr. Ramesh Singh, learned Standing Counsel for the GNCTD submits that as an exceptional case, the GNCTD has decided to release funds equivalent to one year's fee for the appellant's daughter. It is submitted that this proposal is now pending clearance by the Finance Department, and in all likelihood, would be forthcoming in time. In the light of this submission, the GNCTD shall ensure that the monetary benefit by way of one year's fee is disbursed to the school directly within a week. This would be treated as a special case, having regard to the fact that the Court had initially requested the GNCTD to look into the matter and pursuant to which, a statement was made.

The appeal is disposed of in the above terms.

Order *dasti*.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JANUARY 18, 2018

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