



2024:DHC:5601-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 3168/2023****COURT ITS OWN MOTION**

.....Petitioner

Through:

versus

GOVT. OF NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Santosh Kumar Tripathi, SC,
GNCTD with Mr. Rishabh Srivastava
and Mr. Kartik Sharma, Advs.
Ms. Arunima Dwivedi, CGSC with
Ms. Pinky Panwar, Mr. Aakash
Pathak, Mr. Lalit Sharma and Ms.
Ranjana Singh Baisoya, Advs. for
UOI.

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Date of Decision: 29th July, 2024**CORAM:****HON'BLE THE ACTING CHIEF JUSTICE****HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****MANMOHAN, ACJ : (ORAL)**

1. Letter dated 15th September, 2022 received from Mr. Ravinder Raj, Advocate highlighting the woes of senior widows and widowers was directed to be treated as a public interest litigation.
2. The GNCTD has filed a detailed counter affidavit dated 14th December, 2023. In the said affidavit, it has been averred that the issue of managing pension schemes for widows, widowers and senior citizens is overseen and managed by two departments of the Delhi Government i.e. the



Department of Women and Child Development and the Department of Social Welfare. It is further averred that the Department of Women and Child oversees two financial assistance programs designed to benefit widows and women facing distressing circumstances whereas on the other hand, Department of Social Welfare manages financial assistance initiatives targeted at senior citizens residing in Delhi.

3. The relevant paragraphs of the counter affidavit are reproduced herein below:

“Financial Assistance Schemes implemented by the Department of Women and Child Development.

The Delhi Government's Department of Women and Child Development is actively executing multiple Financial Assistance Schemes provided by both the Government of India and the Delhi Government, aiming to support diverse segments of the population through its Financial Assistance Schemes (FAS) Branch. Specifically, the department is administering two financial aid Programs designed to benefit widows and women facing distressing circumstances.

1.DELHI PENSION SCHEME TO WOMEN IN DISTRESS:

Aims and Objectives: -

- *To provide social security by way of financial assistance to the Widows, Divorced, Separated, Abandoned, deserted or Destitute women in the age group of 18 years to life long who have no adequate means of subsistence and are poor, needy and vulnerable.*
- *The assistance of Rs. Two thousand five hundred (Rs. 2500/-) is remitted on monthly basis to the bank account of the beneficiary through Aadhar based payment system (PFMS Portal/DBT).*

Eligibility Criteria for the Scheme: -

- *The applicant should be residing in Delhi for more than 5 years preceding the date of application.*



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- She has a 'singly- operated' account in any bank for receiving the payment through Aadhar based payment system (PFMS Portal/DBT).
- The applicants shall have to furnish Aadhar number and Aadhar seeded account shall be a must for transfer of benefit.
- She is not receiving any pension from Central Govt./State Govt./MCD and/or NDMC or any other source for this purpose.
- The applicant's annual income does not exceed Rs.1,00,000/- (Rs. One Lac.)
- This scheme named “Delhi Pension Scheme to Women in Distress” was notified through notification RNo.F41/22/DSW-WCD/FAS/SCHEMEAMMEND/09-10/17874-884 dated 26.11.2010.
- The scheme was initially launched by the name Delhi Pension Scheme to Widows vide notification date 10.08.2007. The applicants may apply for availing benefit under the scheme on e-District portal as the scheme was launched on 12/12/2018 e-District Portal.

Total Budget for F.Y 2023-24 = 1100 Cr.

Total Expenditure till 01-10-2023 (F.Y. 2023-24) = Rs. 5181992500 Total No. of Beneficiary till 01-10-2023 = 361756

All eligible applicants may avail the benefit because there are no capping/ limitations on the number of beneficiaries under the scheme.

1. FINANCIAL ASSISTANCE FOR MARRIAGE OF DAUGHTERS OR POOR WIDOWS AND ORPHAN GIRLS:

Aims and Objectives:-

- To provide financial assistance to the poor widows for performing the marriage of their daughters (up to two daughters)
- To provide financial assistance to the guardians including institutions or foster parents of an orphan girl for her marriage.



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- The quantum of Assistance is Rs. 30,000 (Rs Thirty Thousand only) up to two daughters.

Eligibility Criteria for the Scheme: -

- The applicant should be residing in Delhi for more than 5 years preceding the date of application.
- She has a 'singly- operated' account in any bank for receiving the payment through Aadhar based payment system (PFMS Portal/DBT).
- The applicants shall have to furnish Aadhar number and Aadhar seeded account shall be a must for transfer of benefit. She is not receiving any pension from Central Govt./State Govt./MCD and/or NDMC or any other source for this purpose.
- The applicant's annual income does not exceed Rs.1,00,000/- (Rs. One Lac).
- The girl whose marriage is to be solemnized should be major on the date of marriage i.e. above 18 years of age.
- In case the applicant is a widow, the financial assistance can be granted for performing marriage upto two daughters only.
- The application must be submitted within a period of sixty days, before or after the date of marriage being solemnized.

This scheme was notified through notification No.F1(4)/FAS/WDN/DSW/05-06/25008-18 on date 21.09.2006. The applicants may apply for availing benefit under the scheme on e-District portal as the scheme was launched on 24/12/2020 e-District Portal.

Total Budget for F.Y 2023-24 = 11 Cr.

Total Expenditure till 01-10-2023 (F.Y. 2023-24) = Rs. 6,09,90,000/
Total No. of Assistance Provided to Beneficiaries in F.Y 2023-24=2033



As there is no dearth of funds at present, all eligible applicants may avail the benefit because there are no capping/limitations on the number of beneficiaries under the scheme.

Financial Assistance Schemes implemented by the Department of Social Welfare.

Department of Social Welfare, Government of NCT of Delhi is implementing Financial Assistance Schemes offered by both the Government of India and the Government of NCT of Delhi. These schemes aim to provide financial assistance to elderly individuals, who are residents of Delhi. The department endeavours to address the financial needs of the elderly population and enhance their overall well-being through these financial assistance programs.

1. OLD AGE ASSISTANCE- AS PER NOTIFICATION BY DELHI GOVT.- (POPULARLY KNOWN AS OLD AGE PENSION).

Objective of the Scheme

- *To provide Financial Assistance to Elderly (Old Age Person) who are citizen of Delhi State.*

Eligibility Criteria

- *Applicant must be above 60 years.*
- *Applicant should be residing in Delhi for more than 5 years preceding the date of application.*
- *Annual family income of less than Rs. 1,00,000 from all source (including rent, interest/dividends on savings & investments, earnings from farm, property sale proceeds etc.) of the applicant & spouse.*
- *The applicant should have a 'singly-operated' account in any Bank in National Capital Territory of Delhi only, for receiving the payment through Public Financial Management System (PFMS).*
- *Must not be receiving any pension/ financial assistance from Central Govt./ State Govt./ other governmental local bodies or any other source for this purpose.*



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**Application process**

- a) Application to be made online on e-District portal www.edistrict.delhigovt.nic.in
- b) Aadhaar number is mandatory for filling up the application- without Aadhaar, application portal will not work.
- c) For applying, self-attested documentary proof for following needs to be scanned and uploaded.
- d) Age proof
- e) Residence proof
- f) Bank a/c number (Single a/c)
- g) In case of SC/ST applicants in the age bracket 60-69 years, caste certificate in the name of the applicant issued by Competent Authority has to be submitted. In case of Minority applicants within 60-69 years, self-declaration of the religion of the applicant duly verified from the religious institution has to be submitted.
- h) One passport size photo of the applicant.
- i) Income self-declaration in the format given on the portal itself.

Mode of Payment

The assistance is remitted to the bank account of the beneficiary as per the Aadhaar number/ account number of the beneficiary through PFMS portal.

Quantum of Assistance

- i. Rs 2000 p.m. for 60-69 years, with additional Rs. 500 p.m. to SC/ST/Minority community beneficiaries
- ii. Rs 2500 p.m. for +70 beneficiaries. ”

4. In view of the aforesaid detailed counter affidavit, no further orders are called for and the present petition is closed.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 29, 2024

N.Khanna

Signature Not Verified

Digitally Signed By: ASWANT
SINGH RAWAT
Signing Date: 30.07.2024
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