



2025:DHC:614



\$~1, 72, 80, 81, 84, 87, 89

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

%

Date of Decision: 28.01.2025+ **W.P.(C) 702/2025 and CM APPL.3347/2025**(1) **AJABS ACADEMY PVT LTD**

.....Petitioner

Through:

versus

THE GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through:

+ **W.P.(C) 1022/2025**(72) **BRIGHT BRAIN ACADEMY**

.....Petitioner

Through:

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through:

+ **W.P.(C) 1050/2025 and CM APPL.5162/2025**(80) **JAI SHRI RAM EDUCATION SOCIETY**

.....Petitioner

Through:

versus

THE GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through:

+ **W.P.(C) 1051/2025**(81) **SUNRISE EDUCATION AND WELFARE SOCIETY.....Petitioner**

Through:

versus

THE GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through:

+ **W.P.(C) 1055/2025**(84) **HELPING HANDS WELFARE SOCIETY**

.....Petitioner

Through:

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents



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Through:

+ **W.P.(C) 1060/2025**

(87) MY MISSION

.....Petitioner

Through:

versus

THE GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through:

+ **W.P.(C) 1070/2025**

(89) ELITE ACADEMY FOR EDUCATION AND TRAINING PVT.
LTD.

.....Petitioner

Through:

versus

THE GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through:

Presence:

Mr. Varun Thakur, Mr. Ramkaran and Mr. Brajesh Pandey, Advs. for petitioners.

Mr. Dhruv Rohatgi, Adv. for respondents in item nos.72, 80, 81, 84, 87 and 89 (through v/c)

Mr. Prashant Manchanda, ASC (GNCTD) and Mr. Angad Singh along with Mr. Dinesh Tyagi, Field Officer.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. The present petitions have been filed by the petitioner seeking that the respondents be directed to implement “Jai Bhim Mukhyamantri Pratibha Vikas Yojna” dated 09.09.2019 in letter and spirit. The said scheme was introduced to provide quality coaching for economically disadvantaged



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SC/ST/OBC/EWS candidates to enable them to compete in competitive examination for selection in various government services.

2. Attention has been drawn to the salutary object/s of the scheme and the fact that the scheme contemplates that the coaching fees in respect of the enrolled students is to be borne by the Department for the Welfare of SC/ST/OBC/Minorities, Government of NCT of Delhi.

3. The order dated 09.09.2019, issued by the respondent / GNCTD, fixed the duration of the coaching and a maximum ceiling of coaching fee to which the institution would be entitled, per candidate. Various criteria were fixed for enrolment of the students, including that there would be a ratio of at least 75% of students from government schools. It was also prescribed that students belonging to SC/ST/OBC/EWS residing in Delhi, and having passed 10th and 12th standard from the schools in Delhi with total income of not more than Rs.8 Lakhs per annum, will be eligible under the scheme. For students having family income of upto Rs.8 Lakhs per annum, full coaching fees was to be provided / borne by the GNCTD. The scheme also contemplates that the income, caste or any EWS certificate duly issued by the office of the concerned District Magistrate should be obtained from the students by the empanelled institute.

4. Pursuant to the scheme, a Memorandum of Agreement (MoA) was entered into with the concerned institutes who are petitioners in these batch matters. The MoA clearly sets out the duration thereof, the courses and quantum of fees which would be borne by the department, the eligibility criteria for candidates / students and also the funding pattern.

5. Clause VII (v) of the MoA specifically provides as under:



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“(v) The first instalment amounting to 50% of course fees and full stipend for course will be released to the institutes after enrolment of candidates and on receipt of their details in the prescribed format. The second instalment of Grant-in-aid would be released (in shape of reimbursement) to the coaching institutes on production of Utilization Certificate, complete details of stipend paid to students coached and details of expenditure made, audited accounts certified by a Chartered Accountant, details of courses conducted and number of students coached and after receiving a satisfactory inspection report from the designated officers of the Department.”

6. It is the case of the petitioners that the respondent / GNCTD has acted in abject disregard of the aforesaid stipulation and even the first instalment amounting to 50% of course fees was not paid to any of the petitioners in the present batch of petitions.

7. Aggrieved by the non-adherence with the scheme and the terms of the MoA, the petitioners raised grievances, time and again with the concerned authorities, however, the concerned authorities paid no heed to the same. Finally, a meeting was convened on 13.12.2024 by the Special Secretary (DSCST) with the representatives of various institutes to discuss outstanding issues regarding release of their entitlement under the aforesaid scheme. The minutes of the said meeting reads as under:

“Minutes of Meeting

Minutes of meeting held on 13.12.2024 at 3:00 PM with the representatives of Institutes under the Chairmanship of Special Secretary (DSCST) to discuss the issues related with the coaching conducted by Institutes under the “Jai Bhim Mukhyamantri Pratibha Vikas Yojna” - Meeting No. 4.

The Spl. Secretary, DSCST welcomed all the members and the following points/issues were discussed in the meeting:

I. Following participants expressed their anger dissatisfaction and frustration that they have not been paid for more than 02 to 03 years



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for the coaching imparted due to non-release of funds and stipends to the students and said that Mr. Virender Kumar. IAS (Retd.) who was the then Secretary (DSCST) for more than 01 year delayed the payments:

- (i) Sh. Shailesh, Vice President, Chanakya IAS Academy.*
- (ii) Sh. Ankit Pahuja, Director, Pahuja Law Academy Pvt. Ltd.*
- (iii) Sh. R.H. Khan, Managing Director, Dhyeya IAS*
- (iv) Sh. R. Kumar, Head, Aastha, IAS*
- (v) Sh. Niraj Singh, Managing Director, GS World IAS*
- (vi) Sh. Suhail Ahmad, Secretary, GS Mentors*
- (vii) Sh. Dharamveer Seharan, President, Bright Brain Academy*
- (viii) Sh. Ajab Lihare, Ajab's Academy Pvt. Ltd.*
- (ix) Sh. Manish K. Gautam, Chief Executive Director, Alternative Learning System Ltd. (ALS)*
- (x) Sh. Pradeep Mishra, General Manager, Vajirao and Reddy Institute Pvt. Ltd.*

(Action Deptt. of SC/ST)

2. That the institutes stated that they have no objection to the transfer of the stipend directly to the students account.

(Action: DD (Scholarship) to put up a note)

3. A proforma with the annexures was given to 10 institutes and they were directed to submit this in this Department on or before 3 1.12.2024 with the requirements, as per the MOA. This is to process the pending payment.

(Action: Coaching Institutes)"

8. No follow up action is stated to have been taken by the DSCST pursuant to the said meeting.

9. In the circumstances, the present petitions have been filed by the petitioners seeking appropriate directions for release of their payments for which they are entitled to under the scheme in question and in terms of the concerned MoA.

10. Learned counsel for the petitioners submits that the respondents have been following a policy of pick and choose as regards release of entitlement



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inasmuch as in case of some institutes, the necessary payments have been released by the respondents as far back as in 2022. However, no payment whatsoever has been released to the petitioners despite their having rendered the requisite services pursuant to the MoA entered into with the DSCST.

11. Learned counsel for the respondent does not dispute that the concerned respondents are obliged to pay the requisite amount, if admissible under the scheme and as per the MoA entered pursuant thereto. However, he submits that the same is subject to scrupulous verification and furnishing of requisite information by the petitioner, as may be sought by the concerned department.

12. Learned counsel for the petitioners submit that they have no objection to providing all relevant documents / information in their possession, in any format as may prescribed by the respondent.

13. Considering the facts and circumstances of the case, and also taking note of the positive step taken by the Special Secretary, DSCST in convening a meeting on 13.12.2024 with a view to resolve the controversy, it is directed that each of the petitioners herein shall be afforded an opportunity of hearing by the Secretary, DSCST and a decision shall be taken as regards release of the monetary entitlement of each of these petitioners, in terms of the scheme in question, after proper verification.

14. Learned counsel for the petitioners has already undertaken, on instructions that all relevant documents in their possession, as may be sought by the DSCST, shall be duly provided by the petitioners. Let the process of submission of the said documents be completed within a period of five weeks from today. The same shall be scrutinized by the DSCST and a



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hearing shall be afforded by the Special Secretary to the petitioners within a period of four weeks thereafter. After this exercise, the requisite payment, as may be found due and payable to the petitioners shall be released forthwith. In case it is found that the petitioners are not entitled to release of payment, or if there is any deficiency / deduction in payment (vis-a-vis the amount claimed), a reasoned order shall be passed, clearly setting out the basis thereof.

15. It is hoped and expected that the DSCST shall take expeditious steps to resolve the grievances of the petitioners and to ensure that the object of the scheme is not undermined or frustrated.

16. With the aforesaid directions, the present petitions are disposed of.

17. In case the petitioners are aggrieved with the outcome of the aforesaid exercise, they shall be at liberty to avail appropriate remedies.

SACHIN DATTA, J

JANUARY 28, 2025/cl