

How Aadhaar is mandatory for minority students scholarships: HC

- PTI



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Delhi High Court today asked the Centre how it could make Aadhaar card mandatory for students from minority communities to apply for various scholarships meant to benefit them.

The court issued a notice to the Centre and asked it to file a reply to the plea which claimed the policy of making Aadhaar card mandatory for applying for pre-matric, post-matric and merit-cum-means scholarships meant to benefit students from minority communities was “arbitrary”.

“Why is this kind of instruction being issued? How can you (Centre) say that Aadhaar is mandatory? You take notice and the concerned officer shall file the reply by September 23,” a bench of Chief Justice G. Rohini and Justice Sangita Dhingra Sehgal said.

The PIL, filed by West Bengal-based Nasimuddin educational and charitable trust, has alleged that the policy was arbitrary and discriminatory as it benefited only those having Aadhaar cards.

Challenging the constitutional validity of the need for Aadhaar card and applying online for the scholarships, the plea alleged that it was a violation of Supreme Court’s judgement which had said that Aadhaar would not be mandatory for availing benefits of government’s welfare schemes.

The plea said that Muslims, Christians, Sikhs, Buddhists, Jains and Zoroastrians (Parsis) have been notified as minority communities under Section 2(c) of the National Commission for Minorities Act, 1992.

It claimed that the policy of “compelling” students to apply through online process “smacks of non-application of mind since the students most in need of scholarship might not have access to computer, internet or the requisite knowledge of online application”.

The petition, filed through advocates Prashant Bhushan and Neha Rathi, referred to the July 14, 2016 communication of the Ministry of Minority Affairs (MoMA) which had asked the chief secretary or administrators of the states to advertise for the various national scholarships of the ministry.

It said the letter had asked the states to make Aadhar card mandatory for all students to apply for scholarships and also to apply only through the online process.

“Many students belonging to non-affluent families do not have online facilities or the means to avail the scholarships through online means. Similarly, many students do not have Aadhaar cards,” the plea said.

“Such a rule forcing a student to apply only online and compulsorily submitting Aadhaar card is unconstitutional, arbitrary, unjust and violates Article 14 of Constitution,” the plea said.

It has sought setting aside of the July 14 communication besides a direction to the government to allow students to apply for national scholarships through offline means.

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