

+ITEM NO.19 COURT NO.3 SECTION PIL(W)
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CONMT.PET.(C) No. 82/2015 In W.P.(C) No. 631/2004
HARIJAN MAHILA (NGO) & ORS Petitioner(s)
VERSUS

HEERA LAL GUPTA Respondent(s)
(with appln. (s) for directions and exemption from filing O.T. and
filing addl. paper(s) and impleadment and office report)
WITH
CONMT.PET.(C) No. 464/2016 In W.P.(C) No. 631/2004
(With appln.(s) for permission to file additional documents and
impleadment and filing addl. paper(s) and Office Report)
CONMT.PET.(C) No. 27/2016 In W.P.(C) No. 631/2004
(With appln.(s) for filing addl. paper(s) and directions and
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Date : 28/11/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. K. Parameshwar, Adv.
Mr. Prashant Shukla, Adv.
Mr. Vishnu Jain, Adv.
Ms. Abha R. Sharma, AOR

Mr. Satyajeet Kumar, AOR
For Respondent(s) Mr. Aftab Ali Khan, AOR
Mr. Mr. Shamshad, AOR
Mr. Vivek Vishnoi, Adv.
Mr. Zaki Ahmad Khan, Adv.
Mr. Aditya Samddar, Adv.
Mr. Ravi Prakash Mehrotra, AOR

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Mr. Satyajeet Kumar, AOR
Dr. Rajeev Sharma, Adv.
Mr. Ram Anugrah, Adv.
Mr. Rovin babu, Adv.
Mr. Raghuvir Sharma, Adv.
Mr. Kamrendra Pratap Singh, Adv.
Mr. Dharmendra Sharma, Adv.
Mr. Vipin Kumar Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

In pursuance of our order, the Committee has submitted an interim report. Paragraph 8 of the report relates to the general findings of the Committee. They are as follows :

â- SThe general comments of the Committee are as follows:-

- i) There was no electricity/provision for electric connection in most of the semi-urban schools, through there is electric connection in the neighbourhood. These schools are situated at a distance of not more than 15 to 20 kms from the City of Allahabad.
- ii) There is no water connection (piped water) in the schools in urban, semi-urban and rural areas and the only source of water is hand pump, but there is frequent problem of break-down and no institutional mechanism for quick repair of such hand-pumps.
- iii) The schools in semi urban/rural areas are totally dependent on the local village Pradhan to make available staff to clean the

schools, including the toilets. The cleaning staff visit the schools infrequently. Consequently, the Head Master of the school is compelled to engage private staff and to pay money from her/his personal pocket for cleaning of toilets.

iv) Even the cleaning equipment, like Harpic, Phenyl etc. is purchased by the School Head Master from his/her own personal funds.

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v) The number of toilets for boys and girls are inadequate. In some schools the toilets are not usable due to lack of sanitation and hygiene. New toilets need to be constructed. In most schools, there is space available for construction of toilets.

Having heard Mr. Ashok Gupta, learned senior counsel and the Chairman of the Committee, Mr. Gaurav Agarwal, member of the Committee, Mr. M.R. Shamshad, learned counsel for the State of Uttar Pradesh and Mr. K. Parameshwar, learned counsel for the petitioner, it is directed that the Chief Secretary of the State of Uttar Pradesh shall see to it that the deficiencies which find mention in the report are complied with within four weeks from today. We have granted four weeks as we find that the deficiencies that have been pointed out are extremely serious and in such conditions, it will be almost impossible to impart education or to receive education. It is the obligation of the State to see that infrastructural facilities are provided so that proper education can be imparted. Building of schools for the sake of providing infrastructure and thereafter allowing them to exist leaving to fate is not a sign of proper governance in the field of education. Hence, the four weeks time, and the responsibility being given to the Chief Secretary of the State. The Chief Secretary, if required, shall constitute a Committee which shall see that the deficiencies are removed with quite promptitude. The Registry is directed to provide a copy of the report to Mr. Shamshad, learned counsel for the State who will do the needful in the matter.

Let the matter be listed in the second week of February, 2017.

(Gulshan Kumar Arora) (H.S. Parasher)

Court Master Court Master