

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT JAMMU**

**CJ Court**

**PIL No. 24/2017 c/w  
WP(C) 27/2019**

All J&K Ladakh Teachers Federation

.....Appellant/Petitioner(s)

Through :- Mr. Pranav Kohli, Sr. Advocate with  
Mr. Farhan Mirza, Advocate  
Mr. Sumit Nayyar, Advocate

v/s

State of J&K and another

.....Respondent(s)

Through :- Mr. S. S. Nanda, Sr. AAG

**CORAM:  
HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER**

1. The matter pertains to improvement of infrastructure facilities in respect of Primary and Secondary Schools in urban and rural areas of the Union Territory of Jammu & Kashmir and Ladakh as well as for proper maintenance of students-teachers ratio in these schools. While the scope appears to be vast, yet there are certain requirements which will require immediate attention of the concerned authorities in this regard.

2. While considering this aspect, it has been brought to the notice of this Court that the status report dated 11.07.2023 submitted by the Project Director, Samagra Shiksha, Jammu and Kashmir contains certain information about the works being executed and completed as per the projects undertaken and their timeline across the Union Territory of J&K and Ladakh under AWP&B (civil works) Samagra Shiksha.

3. In the status report, it has been mentioned amongst others that in 272 schools, works have been sanctioned for construction of boys toilets. Similarly, in 136 schools works have been sanctioned for construction of girls toilets, whereas 197 boys toilets and in 95 girls toilets have been completed. It has also been mentioned that 53 and 27 works are still in progress in respect of the boys and girls toilets respectively. Similarly, out of 544 girls CWSN toilets, 356 have been completed and 166 are in progress. These figures pertain to the year 2018-4.

3. Similarly certain amounts have also been sanctioned during the year 2000-21 for construction of girls toilets. In respect of CWSN toilets Elementary out of 172, 89 toilets have been completed and 63 are in progress. Similarly, in respect of girls toilets Elementary, 40 girls toilets have also been sanctioned, out of which 19 have been completed and 08 are in progress.

5. A perusal of the status report dated 11.07.2023 further reveals that for the year 2018-2019, sanctions have been granted for construction of boundary wall in respect of 824 schools, out of which 630 have been completed while 433 are shown to be in progress. Similarly, for the year 2020-21, sanctions have also been granted for construction of boundary wall elementary in respect of 269 schools and only 92 works have been completed while as 140 works are in progress.

6. We would like to know from the Administration about the exact stage of progress and period of completion in respect of 53 and 27 boys and girls toilets as well as 433 boundary wall and 140 boundary walls elementary mentioned in the status report, if not already completed.

7. In Annexure R-1 annexed with the status report, information of the projects vis-a-vis the completion and pendency has been given in a tabulated form. The same is reproduced as under:-

**“Abstract of works approved under AWP&B (Civil Works under Samagra Shiksha**

Year of sanction	component	No of schools/works sanctioned	Funds released	Expenditure	completed	In progress	Timeline for in progress work
2018-19	Boundary wall elementary	544	2832.79	1539.40	369	145	5/23 to 12/23
	Boys toilet	272	434.94	271.64	197	53	7/23 to 12/23
	Girls toilet	136	154.38	94.01	95	27	3/23 to 12/23
2020-21	Boundary wall	824	2610.60	1205.80	630	433	3/23 to 10/23
	CWSN Toilets	544	1026.60	539.47	356	166	05/23 to 12.23
	Boundary wall elementary	269	1744.12	573.99	92	140	4/23 to 12/23
	CWSN Toilets Elementary	172	361.161	134.26	89	63	4/23 to 8/23
	Girls toilet elementary	40	62.00	13.81	19	8	7/23 to 10/23

8. We have also noted that in the note appended to the table prepared by the Project Director, Samagra Shiksha, J&K certain works have been surrendered due to non-availability of land.

9. Be that as it may, the provisions of toilets both for boys and girls as well as construction of boundary wall are absolutely essential for the smooth functioning of the schools. Therefore, let the aforesaid works which are in progress be completed within a period of one month from the date copy of this order is made available to the concerned authorities. With regard to non-availability of land, the Administration should also indicate the steps already taken for acquisition of land including compulsory acquisition, which would be required for proper functioning of the Schools in the Union Territory of Jammu & Kashmir and Ladakh.

10. List on 18.09.2023.

11. Registry to provide copy of this order to learned counsel for the parties for doing the needful.

12. Mr. Vishal Sharma, DSGI counsel for the Union Territory of Ladakh will also file an affidavit indicating the steps taken for improvement of schools in respect of the Union Territory of Ladakh by or before the next date of hearing.

**(WASIM SADIQ NARGAL)**  
**JUDGE**

**(N.KOTISWAR SINGH)**  
**CHIEF JUSTICE**

JAMMU  
26.07.2023  
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