

GAHC010005692021



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/3/2021

SAHIN BAHAR LASKAR
S/O JOYNAL UDDIN LASKAR, HOUSE NO. 7, BYELANE-1, CHANEKI PATH,
BAGHARBORI, GUWAHATI 37

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, EDUCATION DEPTT. (ELEMENTARY), DISPUR, GUWAHATI 6

2:THE UNION OF INDIA

REPRESENTED BY THE SECY.
DEPTT. OF SCHOOL EDUCATION AND LITERACY
MINISTRY OF HUMAN RESOURCE DEVELOPMENT (MHRD)
C WING
SHASTRI BHAWAN
DR. RAJENDRA PRASAD RD
RAJPATH AREA
CENTRAL SECRETARIAT
NEW DELHI
DELHI 110001

3:THE DIRECTOR OF ELEMENTARY EDUCATION

KAHILIPARA
ASSAM
GUWAHATI 19

4:THE MISSION DIRECTOR

AXOM SARBA SIKSHA ABHIYAN MISSION

KAHILIPARA
GUWAHATI 19

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5:ALL ASSAM TANZIM MADARIS E QAUMIYA

(BOARD OF THE NON GOVT. MADRASSA BOARD) REGD. NO.
RS/NG/254/108)
P.O. NIBGAN
DIST. NAGAON
ASSAM
PIN 782445 TO BE REPRESENTED BY ITS GENERAL SECY

Advocate for the Petitioner : MR. S B LASKAR

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 17-09-2021
(N. Kotiswar Singh, J)

Heard Mr. S.B. Laskar, learned petitioner in person. Also heard Ms. K. Das, learned Standing Counsel, Elementary Education Department and also on behalf of Advocate General, Assam; Mr. R.K. Devchoudhury, learned Asst. SGI and Mr. A.S. Tapader, learned counsel for respondent no. 5.

The cause espoused is regarding directions to be issued to the State respondents:

- (i) for taking necessary actions for attainment of Universalisation of Elementary Education among the children of privately-run religious Madrassas in accordance with the right to Free and Compulsory Education guaranteed under Article 21-A of the Constitution of India and the laws enacted thereunder;

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- (ii) to take necessary action and ensure that all the privately-run Madrassas and such other institutions, where children below the age of 14 years are admitted, are included in UDISE Plus (Unified District Information System for Education) under NIC (National Informatics Centre), and to cause registering of privately-run Madrassas as Minority Institutions as per Minutes of the meeting, dated 25.10.2019 of Project Approval Board for the Centrally Sponsored Scheme for Providing Quality Education to Madrassa; and
- (iii) also for making necessary regulations for compulsory permission and recognition of privately-run Madrassas and such other institutions, where children below the age of 14 years are admitted, as Non-govt. Educational Institution.

We do not see how the petitioner in person, a practicing lawyer is directly involved or affected with any of the issues raised in this petition. We are not convinced about his locus standi.

We are of the view that if any of the Madrassas has any grievance, it would be at liberty to approach this Court.

Accordingly, we close this PIL with the observations as mentioned above.

JUDGE

JUDGE

Comparing Assistant