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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 1st October, 2019

+ W.P.(C) 10699/2019

ASHWINI KUMAR UPADHYAY Petitioner
Through Attendance slip not given

versus

UNION OF INDIA AND ANR. Respondents
Through Mr. Ripu Daman Bhardwaj,
CGSC with Mr. Karan Chahar,
Adv.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

% **ORDER**
01.10.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This Public Interest Litigation has been preferred with the following prayers:

“a) direct the Ministry of Human Resources Development, Government of India, to ascertain the feasibility of establishing at least One Central School (Kendriya Vidyalaya) in every Tehsil, Taluka, Sub-division, Circle and Vattam or each State Legislative Assembly throughout the territory of India;

b) direct the Ministry of Human Resources Development to provide a standard textbook having chapters on Socialism, Secularism, Unity and Integrity of the Nation, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties and Basic Structure of the Constitution and make its study compulsory for all students of I-VIII standard throughout the territory of India;

c) take such other steps as this Hon'ble Court may deem fit to secure right to education in spirit of Article 21A read with the Article 14,15,16 and Preamble of the Constitution and allow the cost of petition to petitioner.”

2. Having heard counsel for the petitioner and looking to the facts and circumstances of the case as well as looking to the contention raised by the counsel for petitioner it appears that the main objective of filing this petition is that there is need of one central school in every Tehsil, Taluka, Sub-division, Circle and Vattam or each State Legislative Assembly throughout the territory of India on the basis of Right of Children to Free and Compulsory Education Act, 2009 and also on the basis of principle enunciated in the Constitution of India. It is further submitted by the counsel for the petitioner that right to equal opportunity includes right to get equal knowledge at par with other schools, which are running in urban areas. Counsel for the petitioner has also taken this Court to the oath of the Minister and High Court Judge and provision of the Right of Children to Free and Compulsory Education Act, 2009.

3. Looking to the prayers in this writ petition, it appears that the subject matter of this writ petition relates to a policy decision to be taken by the respondent to have one central school in every Tehsil, Taluka, Sub-division, Circle and Vattam or each State Legislative Assembly throughout the territory of India. It is also a policy decision to be taken by the respondent to provide textbooks throughout the territory of India having chapters on Socialism, Secularism, Unity and Integrity of the Nation, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties and Basic Structure of the Constitution.

4. Thus, suffice it to say for the disposal of this writ petition that the respondent will appreciate the grounds and prayers made in this writ petition and if the respondents want to have common syllabus or additional syllabus if not already included, throughout the territory of India for the school children, they are free to introduce/include the chapters based upon Socialism, Secularism, Unity and Integrity of the Nation, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties and Basic Structure of the Constitution.

5. With these observations, this writ petition is disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J.

OCTOBER 01, 2019

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