

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2021 (PIL)

IN THE MATTER OF:

Amar Prem Prakash ... Petitioner

versus

Union of India & others ... Respondents

WITH

I.A. No. of 2021 Application for interim relief

PAPER BOOK

(FOR INDEX KINDLY SEE INSIDE)

RAVI PRAKASH MEHROTRA

ADVOCATE FOR THE PETITIONER

**SYNOPSIS****B**

The present petition in this Hon'ble Court under Article 32 of the Constitution of India has been filed in public interest by a student of class 12 studying in New Delhi, particularly on account of the indecision and vacillation on the part of the Union Government and several State Governments and Union Territories in the country, including the NCT of Delhi, in the matter of re-opening of schools and resumption of physical classes.

The Petitioner is also echoing the sentiments and feelings of a large body of the student community and fraternity of the country, particularly including the underprivileged and voiceless children, in raising this very vital issue regarding the deprivation and ill-effects, both psychological and actual, of school children being kept away from attending their schools physically and being imparted their lessons in the school classrooms, and instead having to either join their classes virtually, which in several cases is not possible in the case of economically deprived or limited students, or having to take resort to private tuitions or coaching, and in many cases having to resort to manual remunerative work in the absence of regular schooling, simply to make ends meet or under pressure from their families. It is respectfully stated that in any manner viewed, or from whichever social prism or perspective, the

relentless and never ending deprivation of regular schooling and teaching in the congenial and academic environment of a student's educational institution, is leaving an indelible mark on the psyche of the student community and taking a heavy toll on their wellness and psychological mental framework, leading at times to depression and social reclusiveness.

Thus considered, and in this perspective and context, the Petitioner before your Lordships, with profound respect, by way of the instant writ petition, is seeking enforcement of his fundamental rights guaranteed under Articles 14 and Article 21 read with Article 21A of the Constitution of India and is seeking an appropriate writ, order or direction from this Hon'ble Court, directing the Respondent authorities to take a holistic, equitable and speedy decision in regard to re-opening of schools to enable the student community to attend physical classes, with adequate safeguards and measures to aid and facilitate such re-opening.

According to UNESCO, "*schooling provides essential learning, and when schools close, children and youth are deprived of opportunities for growth and development. The disadvantages are disproportionate for underprivileged learners who tend to have fewer educational opportunities beyond school.*"

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The Petitioner is constrained to file the instant writ petition in this Hon'ble Court, as he along with other students and the student community of India, are not being afforded access to their schools and educational institutions, in as much as offline teaching continues to remain suspended in several states of the country, and is consequently suffering on a day-to-day basis, thereby resulting in denial of the exalted principles enshrined in Articles 14 and 21 read with Article 21A of the Constitution of India.

Article 14 of the Constitution of India reads as under:

*“14. Equality before law - The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.”*

Article 21 of the Constitution of India reads as under:

*“21. Protection of life and personal liberty - No person shall be deprived of his life or personal liberty except according to procedure established by law.”*

Article 21A of the Constitution of India reads as under:

*"The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."*

After remaining closed from April 2020 to February 2021

and re-opening for a brief period, schools across the country had been closed since the end of March/early April 2021 during the second wave of the pandemic, and after remaining closed for more than 3 months, decisions have been taken by some States to re-open schools and resume physical classes in July/August 2021, however, a large number of States and Union Territories including Central Schools, have yet to take a decision in regard to physical functioning of schools, which students might be able to attend in a systematic manner and an appropriate operating procedure in that regard.

On account of the present situation where some States have decided to re-open schools and most have not even taken a decision in this respect, the student community at large is in a dilemma and a state of confusion, apart from having severe psychological and medical issues with sustained and protracted online school teaching, as also a severe sense of deprivation and discrimination as most public places have been re-opened and

gatherings permitted in different States in the country since July 2021.

The Petitioner most respectfully seeks to highlight the aforesated issues relating to the student community, raised in the writ petition, for the very kind consideration of this Hon'ble Court, and seeks appropriate directions from this Hon'ble Court for the Union Government and all State Governments and Union Territories to take a time-bound decision on the re-opening of schools in their territories, with adequate safeguards, and depending on the conditions and severity of Covid-19 in their respective areas. A holistic and considered decision in regard to re-opening of schools will not only end the uncertainty and speculation in this regard, but also assuage the sentiments of the student community in the country, as being reflective of addressing their concerns and feelings in regard to the most important area of their growing up and formative years in life.

13.8.21: Hence the instant Writ Petition.

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (CIVIL) NO. OF 2021 (PIL)  
(Under Article 32 of the Constitution of India)

**IN THE MATTER OF:**

Amar Prem Prakash

... Petitioner

versus

1. Union of India,  
Through its Secretary,  
Ministry of Education,  
Shastri Bhawan,  
Dr Rajendra Prasad Road,  
New Delhi 110001 ... Respondent No. 1
2. NCT of Delhi,  
Through its Chief Secretary,  
Delhi Secretariat, IP Estate,  
New Delhi 110002 ... Respondent No. 2
3. State of Andhra Pradesh,  
Through its Chief Secretary,  
1<sup>st</sup> Block, 1<sup>st</sup> Floor,  
A.P. Secretariat Office,  
Velagapudi 522503  
Andhra Pradesh ... Respondent No. 3

4. State of Arunachal Pradesh,  
Through its Chief Secretary,  
Civil Secretariat,  
Itanagar 791111  
Arunachal Pradesh ... Respondent No. 4

5. State of Assam,  
Through its Chief Secretary,  
Block- C, 3rd Floor,  
Assam Sachivalaya, Dispur,  
Guwahati 781006 Assam ... Respondent No. 5

6. State of Bihar,  
Through its Chief Secretary,  
Main Secretariat,  
Patna 800015  
Bihar ... Respondent No. 6

7. State of Chhattisgarh,  
Through its Chief Secretary,  
Mahanadi Bhawan,  
Mantralaya, Naya Raipur,  
Raipur 492002 Chhattisgarh ... Respondent No. 7

8. State of Goa,  
Through its Chief Secretary,  
Secretariat, Porvroim, Bardez,  
Goa 403521 ... Respondent No. 8

9. State of Gujarat,  
Through its Chief Secretary,  
1st Block, 5th Floor,  
Sachivalaya,  
Gandhinagar 382010, Gujarat ... Respondent No. 9

10. State of Haryana,  
Through its Chief Secretary,  
4th Floor, Haryana  
Civil Secretariat,  
Sector-1,  
Chandigarh 160019  
UT of Chandigarh ... Respondent No. 10

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11. State of Himachal Pradesh,  
Through its Chief Secretary,  
H. P. Secretariat,  
Shimla 171002  
Himachal Pradesh ... Respondent No. 11

12. State of Jharkhand,  
Through its Chief Secretary,  
1st Floor, Project Building,  
Dhurwa,  
Ranchi 834004 Jharkhand ... Respondent No. 12

13. State of Karnataka,  
Through its Chief Secretary,  
Room No.- 320, 3rd Floor,  
Vidhan Soudha,  
Bengaluru 560001 Karnataka ... Respondent No. 13

14. State of Kerala,  
Through its Chief Secretary,  
Secretariat,  
Thiruvananthapuram 695001  
Kerala ... Respondent No. 14

15. State of Madhya Pradesh,  
Through its Chief Secretary,  
M.P. Mantralaya,  
Vallabh Bhavan,

Bhopal 462004  
Madhya Pradesh

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... Respondent No. 15

16. State of Maharashtra,  
Through its Chief Secretary,  
C.S. Office Main Building,  
Mantralaya, 6th Floor,  
Madame Cama Road,  
Mumbai 400032  
Maharashtra ... Respondent No. 16

17. State of Manipur,  
Through its Chief Secretary,  
South Block, Old Secretariat,  
Imphal 795001 Manipur ... Respondent No. 17

18. State of Meghalaya,  
Through its Chief Secretary,  
Main Secretariat Building,  
Room No.316,  
Shilong 793001 Meghalaya ... Respondent No. 18

19. State of Mizoram,  
Through its Chief Secretary,  
New Secretariat Complex,  
Aizwal 796001 Mizoram ... Respondent No. 19

20. State of Nagaland,  
Through its Chief Secretary  
and Finance Commissioner,  
Civil Secretariat,  
Kohima 797004  
Nagaland ... Respondent No. 20

21. State of Odisha,  
Through its Chief Secretary,  
Odisha Secretariat,  
Bhubneshwar 160001 Odisha ... Respondent No. 21

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22. State of Punjab,  
Through its Chief Secretary,  
Civil Secretariat, Sector-1,  
Chandigarh 160001  
UT of Chandigarh ... Respondent No. 22

23. State of Rajasthan,  
Through its Chief Secretary,  
Secretariat, Jaipur 302005  
Rajasthan ... Respondent No. 23

24. State of Sikkim,  
Through its Chief Secretary,  
New Secretariat,  
Gangtok 737101 Sikkim ... Respondent No. 24

25. State of Tamil Nadu,  
Through its Chief Secretary,  
Government Of Tamil Nadu  
Secretariat,  
Chennai 600009 Tamil Nadu ... Respondent No. 25

26. State of Telangana,  
Through its Chief Secretary,  
Block-C, 3rd Floor,  
Telangana Secretariat,  
Khairatabad,  
Hyderabad 500022  
Telangana ... Respondent No. 26

27. State of Tripura,  
Through its Chief Secretary,

New Secretariat Complex  
Secretariat, Agartala West  
Tripura 799010  
Tripura

... Respondent No. 27

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28. State of Uttar Pradesh,  
Through its Chief Secretary,  
1st Floor, Room No. 110,  
Lal Bahadur Shastri Bhawan,  
Uttar Pradesh Secretariat,  
Lucknow 226001  
Uttar Pradesh

... Respondent No. 28

29. State of Uttarakhand,  
Through its Chief Secretary,  
4, Subhash Road,  
Uttarakhand Secretariat,  
Dehradun 248001  
Uttarakhand

... Respondent No. 29

30. State of West Bengal,  
Through its Chief Secretary,  
Nabanna, 13th Floor,  
325, Sarat Chatterjee Road,  
Mandirtala Shibpur,  
Howrah 711102  
West Bengal

... Respondent No. 30

31. Andaman & Nicobar Islands,  
Through its Chief Secretary,  
Civil Secretariat,  
Port Blair 744101

... Respondent No. 31

32. Dadra & Nagar Haveli  
& Daman & Diu,  
Through its Administrator,

Civil Secretariat,  
Daman 396220

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... Respondent No. 32

33. Union Territory of Ladakh  
Through its Chief Secretary,  
Civil Secretariat,  
Leh 194101

... Respondent No. 33

34. Union Territory of Jammu  
and Kashmir,  
Through its Chief Secretary,  
Civil Secretariat,  
Srinagar 190001

... Respondent No. 34

35. Union Territory of  
Puducherry,  
Through its Chief Secretary,  
Chief Secretariat,  
Puducherry 605001

... Respondent No. 35

36. Union Territory of  
Chandigarh,  
Through its Administrator,  
UT Secretariat,  
Chandigarh

... Respondent No. 36

All Respondents are contesting Respondents

**WRIT PETITION UNDER ARTICLE 32 OF THE**  
**CONSTITUTION OF INDIA PRAYING FOR ISSUANCE**  
**OF AN APPROPRIATE WRIT, ORDER OR DIRECTION**

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA AND  
HIS COMPANION HON'BLE JUDGES OF THE  
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE WRIT PETITION OF THE PETITIONER

ABOVE NAMED

**MOST RESPECTFULLY SHOWETH:**

1. That, the Petitioner herein is a class 12<sup>th</sup> student studying in New Delhi. The petitioner is constrained to approach this Hon'ble Court under Article 32 of the Constitution of India, on account of the indecision and vacillation on the part of the Union Government and several State Governments and Union Territories in the country, including the NCT of Delhi, in the matter of re-opening of schools in their respective territories and resumption of physical classes therein, with adequate safeguards in the light of the

COVID-19 situation in the country, and issuance of Standard Operating Procedures in regard thereto.

2. That, it is most respectfully stated that the Petitioner, who is also echoing the sentiments and feelings of a large body of the student community and fraternity of the country, particularly including the underprivileged and voiceless children, is raising the very vital issue regarding the deprivation and ill-effects, both psychological and actual, of school children being kept away from attending their schools physically and being imparted their lessons in the school classrooms, and instead having to either join their classes virtually, which in several cases is not possible in the case of economically deprived or limited students, or having to take resort to private tuitions or coaching, and in many cases having to resort to manual remunerative work in the absence of regular schooling, simply to make ends meet or under pressure from their families. It is respectfully stated that in any manner viewed, or from whichever social prism or perspective, the relentless and never ending deprivation of regular schooling and teaching in the congenial and academic environment of a student's educational institution, is leaving an indelible mark on the psyche of the student community and taking a heavy toll on their wellness and

psychological mental framework, leading at times to depression and social reclusiveness.

3. That, in this perspective and context, the Petitioner before your Lordships, with profound respect, by way of the instant writ petition, is seeking enforcement of his fundamental rights guaranteed under Articles 14 and Article 21 read with Article 21A of the Constitution of India and is seeking an appropriate writ, order or direction from this Hon'ble Court, directing the Respondent authorities to take a holistic, equitable and speedy decision in regard to re-opening of schools to enable the student community to attend physical classes, with adequate safeguards and measures to aid and facilitate such re-opening.

4. That, the Petitioner herein, on the same set of facts, has not filed any other writ petition before this Hon'ble Court, or any other High Court in the country, for the reliefs sought in the present writ petition and this is the first writ petition in that regard in this Hon'ble Court on behalf of the Petitioner.

5. That, the Petitioner respectfully outlines the following facts governing the instant case and the cause of action which has

prompted the Petitioner to file the instant Writ Petition in this Hon'ble Court.

6. That, as stated hereinbefore, the Petitioner herein is a student of class XII in a school in New Delhi.

The Petitioner last attended regular school on 20<sup>th</sup> March 2020, after which the country was put under strict lockdown in the light of the Coronavirus pandemic, as a consequence of which schools across the country were closed and regular classes were suspended, after which academic courses and classes were conducted online. Even during various phases of unlocking from June 2020, as the rigour of the pandemic lessened, schools did not reopen and classes continued to be conducted through various virtual platforms.

7. That, as the pandemic situation eased, schools in New Delhi and elsewhere reopened in March 2021 for a brief period. The re-opening was done in a planned manner with restrictions on full attendance and other regulatory measures. Resultantly, the Petitioner was able to attend his classes in school. However, this was short lived as the second wave of the dreaded virus hit the country, resulting in closure of all schools again in the first week

of April 2021. It is stated that the Petitioner has not been to his educational institution since 31.3.2021.

8. That, in the meanwhile, with the Covid immunity vaccination programme having started in January 2021 and gained momentum, and with the ebbing of the tide of the second wave of the virus, lockdowns were gradually lifted in June-July 2021 in most areas of public life in different parts of the country, including sports centres and gymnasiums, with Covid guidelines and safeguards in place. However, despite mounting public opinion and the sentiments and plight of the student community in the country, no decisions were forthcoming in the matter of re-opening of schools for offline physical classes in the school precincts.

9. That, as stated hereinbefore, schools across the country had been closed since the end of March/early April 2021, and after remaining closed for more than 3 months, the Petitioner was heartened to learn that decisions were taken by some States to re-open schools and resume physical classes in July/August 2021, however, a large number of States and Union Territories including Central Schools, have yet to take a decision in regard to physical functioning of schools, which students might be able to attend in a

systematic manner and an appropriate operating procedure in that regard.

A chart depicting the status of action taken by the Central Government, various States and Union Territories in regard to the re-opening of schools, is as under:

No.	State/UT	Action taken in regard to re-opening of schools
	Kendriya Vidyalayas (Central Schools)	No decision
1.	Andhra Pradesh	Schools are to reopen from 16.8.21 by order dated 23.7.21
2.	Arunachal Pradesh	No decision
3.	Assam	No decision
4.	Bihar	Schools, colleges, and institutes from classes 9 to 12 have been allowed to re-open from 7.8.21. Classes from 1 to 8 can commence from 16.8.21 by order dated 6.8.21
5.	Chhattisgarh	Classes 10 and 12 of government-run and private schools reopened from 2.8.21 with 50% attendance, for which the prerequisite is that COVID-19 positivity rate of the district concerned should be 1% for the last seven days
6.	Goa	No decision
7.	Gujarat	Government allowed the physical reopening of schools for students of Classes 9 to 11 from 26.7.21 with 50 per cent seating capacity
8.	Haryana	Government declared re-opening of schools for classes 9-12 from 16.7.21 and classes 6 to 8 from 23.7.21
9.	Himachal Pradesh	Government re-opened schools for classes 10 to 12 from 2.8.21

10.	Jharkhand	Government re-opened schools from 2.8.21 for classes 9-12
11.	Karnataka	Schools are to re-open from 23.8.21 by order dated 6.8.21
12.	Kerala	No decision
13.	Madhya Pradesh	Schools re-opened from 2.8.21
14.	Maharashtra	Schools re-open from 17.8.21 for classes 5-12 in rural and for classes 8-12 in urban areas
15.	Manipur	No decision
16.	Meghalaya	No decision
17.	Mizoram	No decision
18.	Nagaland	Government re-opened higher secondary schools and colleges from 26.7.21
19.	Odisha	Government re-opened schools from 26.7.21
20.	Punjab	Government re-opened schools for all classes from 2.8.21 with parental consent
21.	Rajasthan	Decision retracted to re-open schools No decision
22.	Sikkim	No decision
23.	Tamil Nadu	Government will resume physical classes for students for classes 9 to 12 from 1.9.21
24.	Telangana	No decision
25.	Tripura	No decision
26.	Uttar Pradesh	Schools to re-open from 16.8.21
27.	Uttarakhand	Government re-opened schools for classes 9-12 from 2.8.21 and 16.8.21 onwards for classes 6-8
28.	West Bengal	No decision
29.	Andaman and Nicobar Island	No decision

30.	Chandigarh	Government re-opened schools for classes 7th and 8th from 9.8.21 as per order dated 4.8.21
31.	Dadra and Nagar Haveli and Daman and Diu	No decision
32.	Delhi	No decision
33.	Ladakh	No decision
34.	Lakshadweep	No decision
35.	Jammu and Kashmir	Government extended closure of schools, colleges in the State on 2.8.21
36.	Puducherry	Government on 15.7.21 revoked the order that had ordered re-opening of schools for classes 9-12th from 16.07.21. Closure of schools has been extended.

10. That, it may be stated that on account of the present situation where some States have decided to re-open schools and most have not even taken a decision in this respect, the student community at large is in a dilemma and a state of confusion, apart from having severe psychological and medical issues with sustained and protracted online school teaching, as also a severe sense of deprivation and discrimination as most public places have been re-opened and gatherings permitted in different States in the country since July 2021.

11. That, the Petitioner, along with most other students, has been facing severe issues with online school teaching. Particularly so, because it is the final year of school for the Petitioner.

Education and online testing has not been effective or efficient or a good substitute for such long a period. It has only been a short term alternative to physical school, but not one that is feasible in the long run.



12. That, it is further respectfully submitted that the student community at large has been facing various serious issues during this time. These include, but are not limited to, connectivity issues, unavailability of appropriate electronic devices, engagement and concentration span of students, lack of communication and interactive environment, dearth of social interaction, deprivation of sports and extracurricular activities.



13. That, furthermore, issues relating to the mental and physical health among school children has been a matter of serious concern during this time and has severely impacted their performance and concentration. It is also relevant to state that many students in rural areas and even urban areas do not have access to phones/electronic devices to attend online school classes and in some cases even the school does not have the appropriate mechanism to conduct online classes. Therefore, many students apart from not being able to

attend schools since March 2020, have also been deprived of online teaching.

In this regard, the World Health Organisation (WHO) has published a report entitled “Considerations for School-related Public Health Measures in the context of Covid-19”, which also highlights various social and mental issues faced by students during the pandemic.

A copy of the said WHO Report dated 14.9.2020 is filed herewith as ANNEXURE P-1 (pages 27 to 43.)

14. That, the Petitioner respectfully states that if public places can re-open for people who may or may not have been vaccinated, regulated by Covid appropriate behaviour, it merits serious consideration that schools and educational institutions must be given priority in re-opening. This would ensure the mental and physical well being of students in the present context, as also to assure them their meaningful right, to not only education but education they deserve and also their right to life and equality to be treated in the same manner as students in other states of the country, wherein decisions have been taken to re-open schools with Covid-19 precautionary measures in place.

15. That, by means of the instant Writ Petition in this Hon'ble Court, the Petitioner most respectfully seeks to highlight the issues relating to the student community, raised in the foregoing paragraphs, and seeks appropriate directions from this Hon'ble Court for the Union Government and all State Governments and Union Territories to take a time-bound decision on the re-opening of schools in their territories, with adequate safeguards, and depending on the conditions and severity of Covid-19 in their respective areas. A holistic and considered decision in regard to re-opening of schools will not only end the uncertainty and speculation in this regard, but also assuage the sentiments of the student community in the country, as being reclusive of addressing their concerns and feelings.

16. That, the Petitioner further seeks a hybrid mode of schooling in States which have decided to re-open educational institutions, with the option of online and offline education, making it optional and non-compulsory for students who are not wishing/able to attend physical/offline school, as also to enable regulated attendance and distancing in school.

17. That, in the facts and circumstances outlined hereinbefore, and having no other efficacious and alternative remedy other than preferring the instant writ petition in this Hon'ble Court, the Petitioner herein is preferring the present petition on the following, among

## **GROUND**S

A. BECAUSE the indecision and vacillation on the part of the Union Government and several State Governments and Union Territories in the country, including the NCT of Delhi, in the matter of re-opening of schools in their respective territories and resumption of physical classes therein, with adequate safeguards in the light of the COVID-19 situation in the country, is taking a heavy toll on the mental psyche and wellness of the student community, owing to their classes and school academic exercises being conducted online, relentlessly and almost continuously since March 2020.

B. BECAUSE the instant writ petition seeks to echo the sentiments and feelings of the student community and

fraternity of the country, particularly including the underprivileged and voiceless children, in raising the very vital issue regarding the deprivation and ill-effects, both psychological and actual, of school children being kept away from attending their schools physically and being imparted their lessons in the school classrooms, and instead having to either join their classes virtually, which in several cases is not possible in the case of economically deprived or limited students, or having to take resort to private tuitions or coaching, and in many cases having to resort to manual remunerative work in the absence of regular schooling, simply to make ends meet or under pressure from their families.

C. BECAUSE in any manner viewed or from whichever social prism or perspective, the relentless and never ending deprivation of regular schooling and teaching in the congenial and academic environment of a student's educational institution, is leaving an indelible mark on the psyche of the student community and taking a heavy toll on their wellness and psychological mental framework, leading at times to depression and social reclusiveness.

D. BECAUSE the non-reopening of schools in the country and physical teaching in the classrooms is proving to be not only detrimental to the interests of students, but also tantamounts to discrimination and unfair treatment, and hence by means of this writ petition, the Petitioner is seeking enforcement of his fundamental rights guaranteed under Articles 14 and Article 21 read with Article 21A of the Constitution of India and is seeking an appropriate writ, order or direction from this Hon'ble Court, directing the Respondent authorities to take a holistic, equitable and speedy decision in regard to re-opening of schools to enable the student community to attend physical classes, with adequate safeguards and measures to aid and facilitate such re-opening.

E. BECAUSE on account of the present situation where some States have decided to re-open schools and most have not even taken a decision in this respect, the student community at large is in a dilemma and a state of confusion, apart from having severe psychological and medical issues with sustained and protracted online school teaching, as also a severe sense of deprivation and discrimination as most

public places have been re-opened and gatherings permitted in different States in the country since July 2021.

F. BECAUSE the Petitioner, along with most other students, has been facing severe issues with online school teaching, particularly so, because it is the final year of school for the Petitioner, and education and online testing has not been effective or efficient or a good substitute for such long a period. It has only been a short term alternative to physical school, but not one that is feasible in the long run.

G. BECAUSE the student community at large has been facing various serious issues during this time, which include, but are not limited to, connectivity issues, unavailability of appropriate electronic devices, engagement and concentration span of students, lack of communication and interactive environment, dearth of social interaction, deprivation of sports and extracurricular activities.

H. BECAUSE issues relating to the mental and physical health among school children has been a matter of serious concern during this time and has severely impacted their

performance and concentration. It is also relevant to state that many students in rural areas and even urban areas do not have access to phones/electronic devices to attend online school classes and in some cases even the school does not have the appropriate mechanism to conduct online classes, and therefore, many students apart from not being able to attend schools since March 2020, have also been deprived of online teaching.

I. BECAUSE if public places can re-open for people who may or may not have been vaccinated, regulated by Covid appropriate behaviour, it merits serious consideration that schools and educational institutions must be given priority in re-opening. This would ensure the mental and physical well being of students in the present context, as also to assure them their meaningful right, to not only education but education they deserve, and also their right to life and equality to be treated in the same manner as students in other states of the country, wherein decisions have been taken to re-open schools with Covid-19 precautionary measures in place.

J. BECAUSE a holistic, considered and time-bound decision in regard to the physical re-opening of schools, with adequate safeguards, will not only end the uncertainty and speculation in this regard, but also assuage the sentiments of the student community in the country, as being relective of addressing their concerns and feelings, in regard to the most important area of their growing up and formative years in life.

**P R A Y E R**

In the above premises, it is most respectfully prayed that this Hon'ble Court may very kindly be pleased to:

- (i) issue a writ, order or direction, directing the Respondents herein to consider and take a time bound decision in regard to the physical re-opening of schools in their respective areas, and conduct of offline teaching, which forms subject matter of the present petition; and
- (ii) pass any other order or direction which this Hon'ble Court may very kindly deem fit and proper in the facts and circumstances of the instant case.

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AND FOR THIS ACT OF KINDNESS, THE  
PETITIONER HEREIN, AS IN DUTY BOUND, SHALL EVER  
PRAY.

DRAWN & FILED BY:

NEW DELHI

RAVI PRAKASH MEHROTRA

Drawn On: 12.8.2021 (ADVOCATE FOR PETITIONER)

Filed on: 13.8.2021