

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 1278/2020

Kana Ram

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru Jaipur.
3. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur.

----Respondents

Connected With

D.B. Civil Writ Petition No. 12799/2018

1. Pappu Lal Mali
2. Bhanwar Lal

----Petitioners

Versus

1. State Of Rajasthan, Though The Secretary, Department Of Sanskrit Education, Rajasthan, Secretariat, Jaipur.
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishan Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru, Jaipur.
3. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur.

----Respondents

D.B. Civil Writ Petition No. 12603/2019

1. Moola Ram :

2. Teekma Ram

3. Rama Ram

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru, Jaipur.
3. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur.

----Respondents

D.B. Civil Writ Petition No. 17285/2019

1. Manju Kumari

2. Jalam Singh

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru, Jaipur.
3. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur.

----Respondents

D.B. Civil Writ Petition No. 3650/2020

1. Doula Ram

2. Kheta Ram

3. Laxman Kumar

----Petitioners

Versus

1. Union Of India, Through Secretary, Ministry Of Human Resources Development, Govt. Of India, New Delhi
2. The State Of Rajasthan, Through Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur
3. The Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru, Jaipur
4. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur

----Respondents

D.B. Civil Writ Petition No. 6503/2020

Mota Ram

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No.6, Second Floor, Jawahar Lal Nehru, Jaipur
3. Divisional Sankrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur

----Respondents

D.B. Civil Writ Petition No. 4343/2021

1. Ramchand

2. Bhinya Ram

-----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Department Of Sanskrit Education, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Director, Directorate Of Sanskrit Education, Dr. S. Radhakrishnana Siksha Sankul Parishad, Block No. 6, Second Floor, Jawahar Lal Nehru, Jaipur.
3. Divisional Sanskrit Education Officer, Near Gandhi Maidan, Sardarpura, Jodhpur.

-----Respondents

For Petitioner(s), : Mr. Devilal R. Vyas,
through V.C. Mr. Jitendra Choudhary,
Mr. Rahul Vyas

For Respondent(s), : Mr. M.S. Singhvi, A.G. assisted by
through V.C. Mr. K.S. Lodha,
Mr. Anil Kumar Gaur, AAG

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI
HON'BLE MR. JUSTICE MADAN GOPAL VYAS

Order

02/02/2022

These public interest petitions involve similar complaints of the petitioners. Essentially, they revolve around the lack of infrastructure and posting of sufficient number of trained teachers in Government Sanskrit schools.

We are informed that there are about 1000 such schools in the State where there is special focus on Sanskrit being taught to the students at an early stage. The petitioners have brought to the notice of the Court number of deficiencies in the infrastructure of such schools, such as want of sufficient number of class rooms, other facilities etc. They also pointed out that in the schools situated in the rural areas there is a perennial deficiency of

teachers. Typically, this happens because the preference of the teachers is to be posted at the urban centres. According to the petitioners, since the urban centres monopolize the sources, the schools situated in the rural areas tend to suffer. Taking cognizance of these averments, this Court has issued directions from time to time. Compliance reports have been called for, which are filed by the State authorities.

We have heard learned counsel for the parties and perused the orders passed by the Court in the past and compliance reports filed by the State authorities. In nutshell, we can record that with the intervention of the Court, the situation has improved to some extent. However, there are quite a few areas which require further improvement. It is pointed out that in several schools there is serious shortage of class rooms and in some schools sufficient number of teachers are still not posted. Learned Advocate General stated that the recruitment process for teacher grade-III is going on. Once such process is over, there would be considerable relief in terms of availability of teachers.

Having heard learned counsel for the parties and having perused the documents on record, we are of the opinion that though the issues raised by the petitioners are genuine and valid, in public interest jurisdiction it is impossible for the Court to engage itself into micro management. The duty of the Court is to catalyse the government mechanism to take appropriate steps. It is simply not possible for the Court to minutely monitor every single aspect of public administration. The Government has the mechanism, wherewithal as also duty and responsibility to carry out such functions. Every failure of administration does not necessarily have cure only in law to be enforced by the Court.

Looking to various genuine deficiencies pointed out by the public interest petitioners, we would require the State administration to set up a high powered committee, who would on permanent basis monitor the infrastructural and other related issues concerning these Government Sanskrit schools. For such purpose, the Government is requested to form a committee consisting of the following members:

- (i) Additional Chief Secretary, Education, who shall be the Chairman of the committee.
- (ii) Joint Secretary, Finance.
- (iii) An officer not below the rank of Deputy Secretary, Public Works Department.
- (iv) Director of Sanskrit Education.

Such committee shall meet at least once every quarter. The committee would have power to issue appropriate directions for appropriate measures to cure any defects or deficiencies in relation to these schools, which may be noticed. The committee would be a permanent committee and if at any stage the Government thinks that looking to the overall improvement, the purpose of the committee no longer survives, the Government would apply to the High Court for winding up the committee.

With these observations and directions, the public interest petitions are disposed of.

(MADAN GOPAL VYAS),J

(AKIL KURESHI),CJ