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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6941 of 2018

In The Matter Of News Report Dated 10.04.2018 Published In Hindi News
Daily Hindustan Patna Live Petitioner/s

Versus

The State Of Bihar and Ors Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Singh, <i>Amicus Curiae</i> Mrs. Archana Sinha, <i>Amicus Curiae</i>
For the Respondent/s	:	Mr. Anjani Kumar, A.A.G. 4 Mr. Shailendra Kumar Singh, Advocate
For P.M.C.		Mr. Prasoona Sinha, Advocate
For the P.P.U.		Mr. P.K. Verma, A.A.G. 3 Mr. Anand Kumar, Advocate
For the Patna University		Mr. Sandeep Kumar, Advocate Mr. Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

18 24-03-2021

This is in continuation of our earlier orders.

We have perused the inspection report of the committee who have inspected 20 educational institutions affiliated with Patna University; 11 educational institutions affiliated with Patliputra University; and 27 Government schools, all falling within the municipal limits of Patna city. Eight schools they could not inspect, be it for whatever reason.

Their work is highly appreciable.

Yesterday, we had simply adjourned the matter, enabling Shri Anjani Kumar, learned A.A.G. 4, to obtain instructions as to why the toilets meant exclusively for the use of girl students were allowed to be used by the police personnel housed at Bankipur Government Girls Senior Secondary School, Patna.



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Having perused the photographs of condition of toilets placed on record by the Committee with respect to some of the educational institutions, particularly Government schools, we had also desired to interact with the persons heading at least of five such schools, namely (1) Bankipur Government Girls Senior Secondary School, Patna, (2) Government Manda Smadar M.S. (Kanya M.S. Laljitola) Patna, (3) Lokeshwari Mahila High School, Kadamkuan, (4) Aadarsh Kanya Middle School, Yarpur and (5) Narayani Kanya Middle School, Chowk, Patna City. The condition only depicted the place unfit to be used even by Animals.

From the report, it is apparent that there is lack of infrastructure, toilets etc. Also they are ill maintained. In most of the educational institutions, sanitary vending and disposal machines have yet not been installed. Also, as is evident from the record and the discussion across the Bar, there is lack of funds for maintenance of toilets.

Today, under instructions, Shri Anjani Kumar, learned Senior Advocate states that the battalion of the police personnel housed at Bankipur Government Girls Senior Secondary School, Patna now stands transferred and no male member, other than the one required for security measures, is occupying the accommodation and even those who are looking after such arrangements are not permitted to use the toilets meant for the exclusive use of girl students.

We find that the Government must attempt to and provide



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funds for maintenance of the toilets. Our interaction with the Principals reveals that funds, provided through several schemes, are meager and are highly inadequate.

Let the Principal Secretary, Education Department, file his personal affidavit indicating as to how best the finance can be augmented.

Our further interaction with the Principals has yielded positive result, inasmuch as, taking queue from the “Father of the Nation” and his cherished ideals and principles, they have volunteered to not only themselves clean the toilets situate within their respective institutions, but also have them maintained in future. They are also made aware of the *Swachh Bharat Abhiyan* Programme of Government of India.

Such voluntary statement came firstly from Mrs. Alka Sinha, Principal, Lokeshwari Mahila High School, Kadamkuan, Patna, followed by the others.

We accept their statements and we only hope that their actions would inspire others heading the educational institutions, and, more so, the Government schools. After all the *Sulabh Sauchalya* movement started only by a person from the State who made it a movement, acquiring an international acclamation.

The report further reveals that the number of toilets are highly inadequate and there is need for upgrading the infrastructure. Let the Principal Secretary, Education Department also deal with this



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issue and other deficiencies pointed out in the report submitted by the Committee.

We are informed that there are certain institutions where there are no toilets within the campus and the girl students have to step out to use the facility of common public conveniences adjoining to the campus. We are not aware of the reason thereof, but let the authorities, including the Commissioner, Patna Municipal Corporation, examine the issue and find a solution so as to ensure that the students have direct and exclusive access to the toilets within the campus.

List on 15.04.2021.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS-

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