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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 201 of 2020

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SUO MOTO

Versus

STATE OF GUJARAT, THROUGH THE PRINCIPAL SECRETARY & 1
other(s)

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Appearance:

SUO MOTU(25) for the Applicant(s) No. 1

for the Opponent(s) No. 1,2

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CORAM: HONOURABLE MR. JUSTICE J.B.PARDIWALA

and

HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 18/12/2020

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE J.B.PARDIWALA)

The Indian Express News Service, Ahmedabad, in its article dated December 18, 2020, has reported something very serious, which calls for the immediate attention of the State Government.

It has been reported that a survey conducted by the Indian Institute of Management, Ahmedabad (IIM-A) and the UNICEF Gujarat revealed that among the households which had children enrolled in the Government schools, 85 per cent of the parents reported that they were not able to access anything in lieu of the mid-day meals since March, when the schools were closed due to the Covid-19 pandemic.

The survey was conducted among 375 low-income parents residing in the urban Ahmedabad between July to September 2020, of

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which nearly 31 per cent had children attending the Government schools.

The study conducted by the KMIC-Knowledge Management and Innovations for Change, an IIMA and UNICEF initiative launched in 2015, to understand the accessibility to remote learning and challenges faced by the students and their parents, revealed that about 15 per cent of the parents received rice, wheat and/or pulses in lieu of the mid-day meals.

Further, around 30 per cent of the children had not engaged in any formal learning activities since March 2020. This was highest for those attending the private schools (33 per cent), followed by the Government schools (26 per cent), and those attending the private schools through the RTE mandate (22 per cent). The average income of the sample was around Rs.1,990=00 per month and more than 95 per cent of the households had monthly income less than Rs.4,400=00.

Despite the State Government's notices on temporary fee relief, around 54 per cent of the parents had been asked to pay the fees during the months of the lockdown. Over 40 per cent of the parents with children in the private schools were unaware of the fee relief. Among those asked to pay the fees, more than 50 per cent admitted that it was difficult for them to arrange the required amount and meet the payment deadline.

Another major concern revealed in the report was pertaining to the drop-outs. The inability to pay the fees has led some parents to consider an alternate option of transfers to other schools or even dropping their children out of the school for the year. This is something very serious.

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Only 54 per cent of the families said that they have a functioning television with cable/DTH. Less than 2 per cent had access to a laptop and a Wi-Fi connection and email was used by less than 12 per cent of the families.

This Court is of the view that the attention of the State Government should be immediately drawn to the aforesaid, and in such circumstances, we deem fit to take suo motu cognizance of the above in public interest.

The registry is directed to register a writ petition by giving a 'pucca' number. Once the same is registered, the registry shall issue NOTICE to the following respondents, returnable on 5th January 2021 :

- (1) State of Gujarat (Notice to be served through the Principal Secretary, Education Department).
- (2) State of Gujarat (Notice to be served through the Commissioner, Mid-day Meal Schemes)

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(J. B. PARDIWALA, J.)

(ILESH J. VORA, J.)

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