

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 75 of 2023**

IN THE MATTER OF SUO MOTO PUBLIC INTEREST
LITIGATION

versus

THE CHIEF SECRETARY

Order Sheet

21/01/2026	<p>This is an office reference.</p> <p>Heard Mr. Ishan Verma, Mr. Amiyakant Tiwari and Mr. Siddharth Dubey, learned Court Commissioners. Also heard Mr. Praveen Das, learned Additional Advocate General appearing for the State, Ms. Annapurna Tiwari, along with Mr. Tushar Dhar Diwan, learned Central Government Counsel for the Union of India.</p> <p>In compliance of the Court's order dated 09.01.2026, the Chief Secretary, Government of</p>

Chhattisgarh, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District Raipur has filed his personal affidavit, the relevant portion of the same is reproduced hereinbelow:

“1. That at the very outset, the deponent humbly submits that he has the highest regard and respect for this Hon'ble Court and that it has always been his most sincere endeavour to duly and faithfully comply with all directions and instructions issued by this Hon'ble Court from time to time.

2. That the instant matter was listed for hearing on 09/01/2026, wherein this Hon'ble Court was pleased to pass the following directions:-

*"In view of the above, let this matter be listed on **21 of January, 2026** for further monitoring of the issue and by which date the Chief Secretary, Government of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District Raipur (CG) shall file its personal affidavit regarding establishment of Central Kitchen and shall also answer the report dated 07/01/2026 filed by the learned Court Commissioner as also the suggestions of the learned Court Commissioner. Through the affidavit, the Chief Secretary shall also inform*

this Court with respect to payment of Rs. 5000/- to each of the affected children,"

*3. It is most respectfully submitted that, in due compliance of the order passed by this Hon'ble Court, the District Education Officer, Janjgir-Champa, has passed a detailed order dated 19.01.2026 sanctioning payment of a sum of Rs. 5,000/- (Rupees Five Thousand only) each to all the 25 children who suffered on account of consumption of the mid-day meal. It is further submitted that the aforesaid sanctioned amount, totaling Rs. 1,25,000/- (Rupees One Lakh Twenty-Five Thousand only), has already been disbursed to the concerned parents/guardians by way of individual cheques issued on 19.01.2026. The order sanctioning the payment, along with the particulars of the affected children, cheque numbers, dates, and proof of disbursement, are collectively annexed herewith and marked as **ANNEXURE-A/1 (collv.)**.*

4, That the deponent herein most respectfully submits that the Directorate of Public Instructions has also passed an order dated 15.01.2026 with regard to the introduction of the Central Kitchen System, whereby the concerned Committee has been directed to prepare implementation of the said scheme. A copy of the order dated 15.01.2026 is annexed herewith and

marked as **ANNEXURE-A/2**.

5. That the deponent once again reiterates his utmost respect and regard for this Hon'ble Court and assures that every direction issued by this Hon'ble Court shall be complied with in letter and spirit.

6. That the present affidavit is being filed in compliance of the directions issued by this Hon'ble Court, based upon the records available with the deponent.”

It has been stated that a sum of Rs. 5,000/- has been disbursed to the parents/guardians of the 25 children who suffered on account of consumption of the mid-day meal. The said amount has been paid by issuing cheques on 19.01.2026, details whereof have been furnished. It has further been submitted that the compensation has been paid in terms of the order passed by this Court.

It further transpires on the affidavit filed by the Chief Secretary from paragraph 4 of the report that the Directorate of Public Instructions has passed an order dated 15.01.2026 regarding the introduction of a central kitchen system, whereby the concerned committee has

been directed to prepare a framework for implementation of the said scheme. Mr. Amiyakant Tiwari, the learned Court Commissioner has also pointed out that three teachers, who were found to be responsible for the supply of the contaminated mid-day meal leading to the incident, have been placed under suspension. However, it has been submitted that although the said teachers have been suspended, no final decision regarding their termination has been taken by the competent authority. It is also submitted that they are the only teachers of their respective subjects and that the examination of the students of the said school is proposed to be held in February, 2026.

In view of the above, the Chief Secretary is further directed to make alternative arrangements so that the education of the concerned children does not suffer.

Mr. Amiyakant Tiwari, learned Court Commissioner would submit that he has filed two report dated 17.01.2026 and 18.01.2026 which have been

filed on 19.01.2026, wherein he has suggested immediate action for establishment of a Central Kitchen System as well as creation of infrastructure in other districts, as found in Districts Durg and Bilaspur and bad condition of the premises where the students are taking mid-day meal.

From the report, it further transpires that the place where the children/students are made to consume the mid-day meal, as demonstrated by the photograph at page No. 4, does not appear to be hygienic. It is also evident that the tin-shed and flooring are not in proper condition.

Accordingly, the Chief Secretary is directed to ensure that the said place is made congenial to the atmosphere of the institution, so that the children are not put to discomfort while taking the mid-day meal.

Learned counsel for the State submitted that, in compliance with the Court's order dated 10.12.2025, another affidavit has been filed by the Chief Secretary, Government of Chhattisgarh, Mantralaya, Mahanadi

Bhawan, Nawa Raipur, District Raipur, on 20.01.2026.

The relevant portion of the same is reproduced hereinbelow:

“1. That, the deponent, having the highest and great regards and respect for the lawful authority of this Hon'ble Court, files the present affidavit in compliance of the order dated 10/12/2025 passed by the Hon'ble Court.

2. That, in the matter, an affidavit in compliance of the order dated 17/09/2025 passed by the Hon'ble Court, has been filed by the deponent. It is respectfully submitted that after going through the said affidavit filed by the deponent, the Hon'ble Court was pleased to direct that the Court Commissioner may inspect the districts of Bilaspur and Raigarh and submit a report whether the arrangements are in proper order or not.

3. It is respectfully submitted that in compliance of the said order dated 28/10/2025 passed by the Hon'ble Court, the learned Court Commissioners have visited the Anganbadi Centres situated in District Bilaspur and Raigarh and after inspection of the Anganbadi Centres, they have submitted its respective reports 06/12/2025 dated 09/12/2025 before the Hon'ble Court.

4. It is respectfully submitted that subsequent to the above, the present matter was listed before the Hon'ble Court for hearing on 10/12/2025 and after going through the reports submitted by the learned Court Commissioners, the Hon'ble Court, vide its order dated 10/12/2025, was pleased to direct the Chief Secretary, Govt. of Chhattisgarh / deponent herein to file a fresh affidavit after going through the reports filed by the learned Court Commissioners and inform the court with respect to the steps taken by the State to improve the conditions of the Anganbadi Centres situated in the State.

5. That, in compliance of the order passed by the Hon'ble Court, the deponent respectfully submits that way back on 12/09/2025, the Directorate of Woman and Child Development has issued detailed instructions to all the District Programme Officers and District Woman and Child Development Officers of State of Chhattisgarh with respect to taking adequate pre-cautions in preparation of meal and storage of meal and other food articles under the Supplementary Nutrition Programme in Anganbadi Centres. In this detailed guidelines, necessary directions with respect to the food safety protocol, cleanliness of kitchen, ensuring supervision and responsibility, security, right of admission, training and awareness programmes etc. and further direction on

other issues have been circulated. A copy of the instruction dated 12/09/2025 is being filed herewith as **Annexure A/1.**

6. That, the deponent respectfully submits that the Directorate of Woman and Child Development, Govt. of Chhattisgarh has sanctioned an amount of Rs. 3,31,82,400/- for new construction/completion of lavatory / toilets in Anganbadi Centre situated in various districts of State of Chhattisgarh. Copy of the letter dated 08/05/2025 is being filed herewith as **Annexure A/2.** It is further submitted that an amount of Rs. 9,81,45,000/- has been sanctioned for starting / completion of work with respect to supply of drinking water in Anbanbadi Centres. Copy of the sanction order dated 15/05/2025 is being filed herewith as **Annexure A/3.** It is further respectfully submitted that an amount of Rs. 9,55,87,130/- has also been sanctioned for carrying out the repair works in the Anganbadi Centres and project Offices cum Resource Centres and to demonstrate this fact, copy of the sanction order dated 10/10/2025 is being filed herewith as **Annexure A/4.**

7. That, the deponent respectfully submits that pursuant to the sanction granted by the Ministry of Woman and Child Development, Government of India as well as the Government of Chhattisgarh, the Directorate of Woman and Child

*Development has sanctioned an amount of Rs. 11,67,72,000/-towards maintenance of the government owned Anganbadi buildings across the State of Chhattisgarh. It is necessary to point out that in 220 projects, total 38924 buildings are owned by the Department and an amount of Rs. 3000/- per building has been sanctioned and to demonstrate this fact, copy of the sanction order dated 29/10/2025 is filed herewith as **Annexure A/5.***

*8. That, the deponent further respectfully submits that in continuation to the letter / guidelines dated 12/09/2025, further necessary guidelines with respect to providing basic facilities in the Anganbadi Centre and providing hot cooked food under the Supplementary Nutrition Programme and for take home ration etc. and to demonstrate this fact, copy of the detailed guidelines dated 30/12/2025 is filed herewith as **Annexure A/6.***

9. It is respectfully submitted that the learned Court Commissioner, after his visit to 16 Anganbadi Centres in District Bilaspur, has pointed out certain shortcomings / deficiencies in the said Anganbadi Centres. In this regard, it is most respectfully submitted that every possible measures / steps are being undertaken by the Department for curing the defects and also for the works towards providing the basic facilities in the

Anganbadi Centres. It is necessary to mention that in all the Anganbadi Centres wherein there was no provision for safe drinking water, the water filters have been provided. It is submitted that pursuant to the request made by the District Programme Officer, Woman and Child Development, Bilaspur and District Collector, Bilaspur for providing necessary funds under the CSR fund for repair / upgradation / beautification of the Anganbadi Centres in District Bilaspur, the SECL has been pleased to provide the financial assistance to the tune of Rs. 472/- lakh under the CSR head. It is respectfully submitted that as per the sanction order, the amount of Rs. 472/- lakh would be disbursed to Shrushit Seva Samiti which in turn will carry out the necessary work. To demonstrate this fact, copy of the sanction order dated 26/12/2025 alongwith the report submitted by the District Programme Officer, Woman and Child Development, Bilaspur is being filed herewith as **Annexure A/7 and A/8** respectively. It is further submitted that with respect to the Anganbadi Centres where the learned Court Commissioner visited and pointed out certain lacunas / defects, a report submitted by the District Programme Officer, Woman and Child Development, District Raigarh is being filed herewith as **Annexure A/9** which clearly shows that the lacunas / defects as pointed out in Anganbadi Centres by the learned Court

Commissioner have been duly cured by providing the basic facilities and amenities in the said Anganbadi Centres.

10. That, the contents of this affidavit have been drafted according to my instructions and the contents thereof are true and correct to the best of my personal knowledge and belief, based on the official records.”

Further the Chief Secretary, Government of Chhattisgarh, Raipur is also directed to file a fresh affidavit regarding the steps taken by him in pursuance of the report submitted by the learned Court Commissioner.

Let the matter be listed again on **25.02.2026.**

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice