



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 62 of 2025

In the matter of Suo Moto Public Interest Litigation

Versus

State of Chhattisgarh & Others

Order Sheet

29/07/2025	This is an office reference. Heard Mr. Prafull N. Bharat, learned Advocate General along with Mr. Shashank Thakur, learned Deputy Advocate General, appearing for the State/ respondents. In compliance of the Court's order dated 14.07.2025, the Chief Secretary, Government of Chhattisgarh, Raipur has filed an affidavit on 22.07.2025. Relevant portion of the said affidavit, reads as under :- <i>"3. That, vide order dated 14.07.2025, the Court was pleased to direct the Chief Secretary, Government of Chhattisgarh to file a personal</i>

affidavit in the matter. That the Deponent most respectfully submits that as far as the news items published in Nav Bharat Times dated 13.07.2025 with respect to students going to schools by crossing the stream is concerned, it is most respectfully submitted that village Kesalpara is a dependent village of Gram Panchayat Kanagaon in block Antagarh, District-North Bastar Kanker. It is submitted that in the said area is a naxal infected area and scheduled area. There is a middle school in village Kanagaon, where total 46 students are enrolled, out of which 36 students belongs to village Kanagaon, whereas rest 10 students come from village Kesalpara and the distance between Kesalpara and Kanagaon school is 1.50 KM.

4. That, it is submitted that the Kanagaon Nala/water stream which is a seasonal stream is situated between Tamrupani- Kasapara to Kanagaon- Kasapara route. It is submitted that on the said route a road has already been constructed. However, the bridge over the said water stream is yet to be sanctioned. It is respectfully submitted that looking to the repeated demands of the local residents, the district administration has prepared a proposal for construction of large bridge over the said water stream.

5. That, it is most respectfully submitted that since, the entire area is a Naxal affected area and the special projects in the said area is carried out by Special Central Assistance (SPA), an estimate of Rs. 280.28 Lakhs for construction of Kanagaon-Kasapara large bridge was prepared and the same was forwarded by the Chief Executive Officer, Zila Panchayat, Kanker to the Secretary, Department of Home vide letter dated 24.02.2025. It is submitted that after receipt of the request letter dated 24.02.2025 the matter was forwarded to the Left Wing Extremist Division of Department of Home, Government of India. It is submitted that the concerned division of the Department of Home has sought certain clarification after technical vetting and a request was made to the Government of Chhattisgarh to submit the proposal as per the comments made in the technical vetting. A copy of the letter dated 13.06.2025 with respect to the clarification sought after the technical wetting is annexed herewith as ANNEXURE A/1.

6. That, it is submitted that after receipt of the above mentioned communication the Department of Home, Government of Chhattisgarh vide letter dated 11.07.2025 addressed to the Collectors of respective districts including Kanker, District forwarded the comments made after technical

vetting received from the Ministry of Home with a direction to rectify the shortcoming as pointed out by the Government of India. Copy of the letter dated 11.07.2025 is annexed herewith as ANNEXURE A/2. It is most respectfully submitted that as per the instructions contained in the letter dated 13.06.2025 the revised proposal as per the directions will be submitted shortly. That, as soon as the administrative and technical permission is accorded by the Ministry of Home, Government of India the work for the construction of the Large Bridge would be started and the same would be started would be completed within the deadline.

7. That, it is also necessary to mention that vide letter dated 09.07.2025, issued by the office of the Joint Director, Public Instructions, all the heads of the Educational Institutions of the districts were directed to declare holiday in the schools in case of over flowing of the rivers or streams due to heavy rainfall.

8. That, as far as the second news item with respect to drowning of four children in pond in District- Janjgir is concerned it is most respectfully submitted that children were allowed to go home on the scheduled time i.e. on 11:30 after the school was over in Government Primary School, Bhaistara on 12.07.2025. After returning from the school they went to their home, kept their school

bags and had lunch and thereafter they went out for play and when the students did not return to home and search was made wherein it was discovered that the four children have drawn in the Ghatoli pond. It is most respectfully submitted that taking into cognizance of the unfortunate incident the Department of Revenue and Disaster Management, Police and Education acting in close coordination have made payment of four lakhs rupees as compensation to the family members of each of the deceased students as per the provisions of the Revenue Book Circular.

9. That, it is further submitted that the Collector cum District Magistrate, District- Janjgir-Champa vide his memo 17.07.2025 has dated issued necessary instructions with respect to identification of Pond, Nala and other water sources near the school and Anganbadi Centers and for proper management of the same so that any untoward incident may not happen. Copy of the letter dated 17.07.2025 is annexed herewith as ANNEXURE A/3. That it is further submitted that the District Education Officer, District- Janjgir-Champa as also issued necessary instructions with respect to the safety, health and security of the students studying in the schools. It is submitted that that detailed instructions have been issued for ensuring the safety of the children.

10. That, the deponent has advised all district authorities to undertake similar instructions for safety, in Collector's meeting on 19-07-2025.

From perusal of the aforequoted affidavit, it transpires that so far as first issue with regard to the news items published in Nav Bharat Times dated 13.07.2025 with respect to students going to schools by crossing the stream is concerned, it has been stated that the said area is a naxal affected and scheduled area and there is a middle school in village Kanagaon, where total 460 students are enrolled, out of which 36 students belongs to village Kanagaon, whereas rest 10 students come from village Kesalpara and the distance between Kesalpara and Kanagaon school is 1.50 km. It is further stated that in the affidavit that though on the said route, a road has already been constructed, but the bridge over the said water stream is yet to be sanctioned and as per repeated demands of local residents, the District Administration has prepared a proposal for construction of a large bridge over the said water stream and a proposal has also been sent to the Central Government on 24.02.2025 and for which a clarification was also

sought by the Central Government vide letter dated 13.06.2025 and a revised proposal, as per the directions, will be submitted shortly. It is also stated that as soon as the administrative and technical permission is accorded by the Ministry of Home, Government of India, the work for construction of the large bridge would be started and the same would be completed within the deadline. Further, on 09.07.2025, the Office of the Joint Director, Public Instructions has issued a letter directing all the heads of the Educational Institutions of the district to declare holiday in the schools in case of over flowing of the rivers or streams due to heavy rainfall.

As regard to the second news item, which was published with respect to death of four children in pond in District – Janjgir due to drowning is concerned, it has been submitted that taking cognizance of the unfortunate incident by the Department of Revenue and Disaster Management, Police and Education acting in close coordination have made payment of four lakhs rupees as compensation to the family members of each of the deceased students as per the provisions of the

Revenue Book Circular and further necessary instructions have also been issued by the District Magistrate, District – Janjgir-Champa vide his memo dated 17.07.2025 with respect to identification of Pond, Nala and other water sources near the school and Anganbadi Centres and for proper management of the same so that any untoward incident may not happen again.

In view of the above affidavit, we deem it proper that the matter be listed for further monitoring of the situation in the light of the steps which is to be taken by the State in view of queries made by the Government of India for construction of a large bridge over the stream. Let a fresh affidavit be filed by the Chief Secretary, Government of Chhattisgarh, Raipur before the next date of hearing.

Let the matter be again listed on **3rd of September, 2025.**

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice