

GAHC010080822023



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/30/2023**

WE FOR GUWAHATI FOUNDATION AND 2 ORS.  
REPRESENTED BY ITS MANAGING TRUSTEE AND PRESIDENT, ANITA  
VERMA, PRESENTLY AT 23, PRATIKSHA, KHARGULI, RIVERSIDE,  
GUWAHATI-781004.

2: ANITA VERMA  
D/O- SHRI BALKRISHAN VERMA  
R/O- 23  
PRATIKSHA  
KHARGULI  
RIVERSIDE  
GUWAHATI-781004.

3: DEBARGHA ROY  
S/O- DEBOJIT ROY  
R/O- 43 LAMB ROAD  
LATASIL  
GUWAHATI-781001

VERSUS

THE STATE OF ASSAM AND 23 ORS.  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
DISPUR, PIN- 781005, ASSAM

2:THE COMMISSONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
ELEMENTARY EDUCATION DEPARTMENT  
BLOCK-C (GROUND FLOOR)  
ASSAM SECRETARIAT  
DISPUR  
GUWAHATI-781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM

ELEMENTARY EDUCATION DEPARTMENT  
BLOCK-C (GROUND FLOOR)  
ASSAM SECRETARIAT  
DISPUR  
GUWAHATI-781006.

4:THE DIRECTOR OF ELEMENTARY EDUCATION  
DIRECTORATE OF ELEMENTARY EDUCATION  
KAHILIPARA  
GUWAHATI-781019.

5:THE DIRECTOR OF SECONDARY EDUCATION  
DIRECTORATE OF SECONDARY EDUCATION  
KAHILIPARA  
GUWAHATI-781019.

6:MISSION DIRECTOR

SAMAGRA SIKSHA ABHIYAN  
ASSAM  
KAHILIPARA  
GUWAHATI-781019.

7:DISTRICT ELEMENTARY EDUCATION OFFICER  
AND INSPECTOR OF SCHOOLS (KAMRUP METRO)  
ATHGAON  
GUWAHATI-781001.

8:DISTRICT ELEMENATRY EDUCATION OFFICER  
AND INSPECTOR OF SCHOOLS (KAMRUP RURAL)  
AMINGAON  
GUWAHATI-781031.

9:DISTRICT ELEMENATRY EDUCATION OFFICER  
AND INSPECTOR OF SCHOOLS (NAGAON)  
PANIGAON  
NAGAON  
NH-37  
NAGAON-782001.

10:GYAN VIKAS ENGLISH SCHOOL  
FAYAL AHMED ROAD  
FATASIL  
AMBARI  
GUWAHATI-781001.

11:SOUTH POINT SCHOOL

BARSAPARA INDUSTRIAL ROAD  
GOPINATH NAGAR  
BARSAPARA  
GUWAHATI-781018.

12:SANKARDEV SIKHU NIKETAN  
SILSAKOO  
NORTH GUWAHATI  
GUWAHATI-781030.

13:KENDRIYA VIDYALAYA IIT  
GUWAHATI IIT CAMPUS  
GUWAHATI-781039.

14:KENDRIYA VIDYALAYA  
MALIGAON  
NE FRONTIER RAILWAY  
ADARSHA COLONY  
MALIGAON  
GUWAHATI-781011.

15:AKHOM SHIKSHALAYA SCHOOL  
RADHA KRISHNA NAGAR  
SALBARI  
NOONMATI  
GUWAHATI-781020.

16:GYAN EDUCATIONAL TRUST  
OPP. KALI MANDIR  
LOKHRA ROAD  
JYOTIKUCHI  
GUWAHATI-781034.

17:SKYLARK PUBLIC SCHOOL  
5P42 AND RGF  
MALIGAON WEST  
MALIGAON  
GUWAHATI-781010.

18:SWARNA HAZARIKA MEMORIAL FLORENCE ACADEMY  
VILL AND P.O. SAMUGURI  
NEAR SAMUGURI POST OFFICE- 782140  
NAGAON.

19:SANKARDEV SIKHU NIKETAN  
NEAR BORMA MEDICAL STORES  
VILL AND P.O. SAMUGURI- 782140  
NAGAON.

20:SARASWATI JATIYA VIDYALAYA  
NEAR ROCKLAND PARK  
P.O. SAMUGURI-782140  
NAGAON.

21:PANCHATIRTHA SISHU SANKARDEV VIDYA NIKETAN  
HAJO SHAKTI BARI-781102  
KAMRUP RURAL.

22:HARVARD PUBLIC SCHOOL  
GUWAHATI HAJO ROAD  
AMINGAON  
GUWAHATI-781104.

23:LUIT VIEW ENGLISH ACADEMY  
SH2  
DOLIBARI  
SARMOSALI GAIN- DADRA-781104  
ASSAM

24:KENDRIYA VIDYALAYA  
SECTOR-1  
RAMCHAI HILLS  
NOONMATI  
GUWAHATI-781020

**Advocate for the Petitioner** : MS. D GHOSH

**Advocate for the Respondent** : GA, ASSAM

**BEFORE  
HONOURABLE THE CHIEF JUSTICE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**Date : 24.05.2023**

Heard the learned counsel for the parties.

Mr. N. Konwar, Secretary, Department of School Education, Assam, is personally present before this court as per this Court's direction given vide order dated 17.05.2023.

Copy of the affidavit filed by the petitioners on 23.05.2023 as well as copy of the affidavit-in-opposition filed by the respondent nos. 13, 14 and 24 be provided to Mr. R. Mazumdar, learned Standing counsel, Education Department.

The Secretary, Department of School Education, Assam, shall also go through the entire record, including the affidavits filed by the petitioners as well as respondent nos. 13, 14 and 24. In case any violation is noticed in strict adherence to the provision(s) of the Right of Children to Free and Compulsory Education Act, 2009 by any of the respondent schools, appropriate measures shall be taken in accordance with law.

List on **29.05.2023**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**