



* 1 *

1097SMPIL1o18 school

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**1097 SUO MOTO PUBLIC INTEREST LITIGATION NO. 1
OF 2018**

THE REGISTRAR (JUDICIAL) HIGH COURT OF
JUDICATURE AT BOMBAY BENCH AT AURANGABAD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate Ms.Rashmi S. Kulkarni, Amicus Curiae a/w
Ms.Namita Thole, Advocate.

Shri A.B. Girase, Government Pleader for Respondent Nos.1 to
5/State.

Shri U.B. Bondar, Advocate for Respondent Nos.6 and 8.

Shri O.S. Shendkar, Advocate a/w Ms.Achal Y. Raghuwanshi,
Advocate i/by Shri D.N. Bankar Patil, Advocate for Respondent
Nos.6 to 8.

Shri B.B. Kulkarni, Standing Counsel for Respondent No.11/UoI.

...

CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 07th August, 2024

Per Court :-

1. Considering the earlier orders passed and keeping in view that the Principal District Judges of various districts have tendered their reports with regard to the physical and financial condition of the Schools under the Zilla Parishads or the Municipalities, we deem it appropriate to constitute a State Level

Committee to be headed by a retired Honourable Judge of the Bombay High Court. The members of the committee would comprise of (ii) the Director of Education, State of Maharashtra at Pune, (iii) an Additional Director General of Police, Maharashtra State, who is in service, (iv) a retired Chief Secretary of the State of Maharashtra, who may have retired within the past five years and (v) the Chief Engineer, PWD, State of Maharashtra.

2. The staff of the Department of the Director of Education, Pune would be utilized by the Committee for its assistance and for which purpose, the Director of Education would pass an appropriate order. He shall also be the Convener of the meeting. The remuneration of the Honourable Judge (retired) would be at the rate of the TA/DA charges admissible to the post held by the concerned officer, including the retired Chief Secretary. This Committee would be the nodal committee, which should look into the reports received from the various Principal Districts Judges of the districts in the State of Maharashtra.

3. To assist the State level nodal committee, we deem

it appropriate to constitute the committees at the district levels for each district in the State of Maharashtra. A retired Judge, not below the rank of the Principal District Judge, who has settled down in that district or the closest adjoining district, would be the Chair Person of the said district level committee. The committee would comprise of (ii) the District Collector, (iii) the Deputy Superintendent of Police (DSP) of that district, (iv) the Education Officer (Secondary), (v) the Education Officer (Primary) posted in the said district, (vi) the Civil Engineer, Public Works Department, not below the rank of the Deputy Executive Engineer posted in the said district and (vii) the District Court Government Pleader of the said district. The staff of the District Collector would be deputed by the District Collector for the assistance of the said committee.

4. Such committee shall be inspecting the schools and institutions on routine basis and shall be preparing its visit reports stating forth deficiencies/ requirements etc.. Such reports generated at the district level would be transmitted to the State level committee addressed to the Chair Person of the said committee. There would be close coordination between the State

level committee and the District level committee for ensuring proper infrastructure of the schools at the district levels and the utilization of the funds, which are granted by the State Government for achieving the purpose and object under the Right of Children to Free and Compulsory Education Act, 2009.

5. We call upon the learned Registrar (Judicial) of this Court to address the following retired Honourable High Court Judges, for seeking their consent to be the Chair Person of the State level committee:-

- (a) Hon'ble Shri Justice R. M. BORDE
- (b) Hon'ble Shri Justice M.S. SANKLECHA
- (c) Hon'ble Shri Justice R. V. MORE
- (d) Hon'ble Shri Justice Z.A. HAQ
- (e) Hon'ble Shri Justice SURESH C. GUPTE
- (f) Hon'ble Shri Justice SUNIL P. DESHMUKH
- (g) Hon'ble Smt. Justice SADHANA S. JADHAV
- (h) Hon'ble Shri Justice SANDEEP K. SHINDE
- (i) Hon'ble Smt. Justice ANUJA PRABHUDESSAI

6. The Chief Secretary of the State of Maharashtra

would nominate the retired Chief Secretary, who has retired from the Maharashtra State cadre within the last five years, the Director of Education, Pune and the Chief Engineer, PWD, stationed at Mumbai. The Director General of Police shall nominate the Additional Director General of Police.

7. As like the above direction, the learned Registrar (Judicial) would address the Principal District Judges of each district in the State of Maharashtra, to collect information as regards those Judges, not below the rank of a Principal District Judge, who have retired and settled down in the said district, preferably within the last five years, or closest to the said district, if there is none in the said district.

8. Once we get to know the consent from the concerned Judges at the district level, we would nominate one of such Judges as the Chairperson of the district level committee.

9. So also, after the learned Registrar (Judicial) of this Court tenders the consents received from the former Judges of the Bombay High Court, we would nominate one such Judge to

be the Chairperson of the State level committee.

10. Once these committees are constituted, we would transmit the reports of the learned Principal District Judges, received by us in these proceedings, to the State Level Committee.

11. The learned Government Pleader desires to place the compilation of documents with regard to the Unified District Information System for Education Plus, which is prepared for Schools of Grade Pre Primary to Class 12th, by the Ministry of Education, Government of India and the guidelines for filling up Data Capture Format (DCF) for Unified District Information System for Education Plus. We request him to prepare a proper index and annex these documents to the same. Let such compilation be tendered to the Court on the next date.

12. **List this petition on 22.08.2024 at 2:30 PM.**

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)