

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 3673/2013

Radha Shekhawat

----Petitioner

Versus

State Of Raj And Ors

----Respondent

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For Petitioner(s) : Ms. Naina Saraf, Amicus Curiae

For Respondent(s) : Mr. R.P. Singh, AAG assisted by Mr.  
Shashikant Saini.

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**HON'BLE MR. JUSTICE MOHAMMAD RAFIQ  
HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA**

**Order**

**09/08/2019**

In this writ petition, filed in public interest, this Court is monitoring the directions issued by the Supreme Court to provide the essential facility of toilets in the schools in the State of Rajasthan. A detailed affidavit has been filed by the Principal Secretary, School Education and Language Department, Government of Rajasthan on 11.07.2019. It has been stated therein that separate toilet facilities for boys and girls have been provided in all the government schools running in government buildings. It has further been stated that out of total 65006 government school (out of which 13986 are secondary and senior secondary schools and 51020 are primary and upper primary schools). There is permanent source of drinking water in 64633 government schools and remaining 373 government schools are

being provided safe drinking water from nearby water sources. All 13986 secondary and senior secondary schools as also 25346 primary and upper primary schools have been electrified. Efforts are being made to electrify all remaining 25674 schools in a phased manner depending upon the availability of funds and necessity of electricity in the schools. Approximately Rs. 256.74 crores will be required for electrification of 25674 primary and upper primary government schools. Electricity connections are being provided in the schools as a matter of necessity and not as a matter of policy. In the year 2017-18, solar power system has been provided in 150 schools to electrify them with financial support of Cairn Energy Limited under CSR. It is further stated that an annual composite school grant varying from Rs. 12,500/- to Rs. 1,00,000/-, depending upon the number of students in the school, is being provided to all government schools. Directions have been issued to all District Officers to ensure cleanliness, hygiene of the toilets, availability of drinking water and toilet facilities in the schools.

Ms. Naina Saraf, learned Amicus Curiae submitted that when the Secretary of the District Legal Services Authority had earlier submitted report dated 23.03.2018, number of primary, upper primary, secondary and senior secondary schools were found lacking in separate facilities of toilets for boys and girls. She urges that a fresh sample survey of the randomly selected districts may be conducted.

This Court on 30.08.2018 required the respondents to file complete chart in respect of availability of toilets and drinking water facilities in the schools of Rajasthan State as also the colleges, especially in girls schools and colleges and submit plan

as to in what manner they propose to ensure regular cleanliness and hygiene of such toilets and also indicate how many new toilets are proposed to be constructed and what budgetary provision has been made for completing that task. The affidavit filed by the respondents does not cover the government colleges of Rajasthan.

We therefore now require the respondents to indicate about availability of separate toilets for boys and girls, cleanliness and hygiene thereof and availability of drinking water facilities in the government colleges of Rajasthan in the next compliance report. The report shall also cover the aspect of cleanliness and hygiene of the separate toilets for boys and girls in government schools.

We also direct the Member Secretary, Rajasthan State Legal Services Authority, Jaipur to get 10 primary/upper primary/secondary/senior secondary government schools, two each from different five Tehsils in different 10 Districts inspected by deputing the Secretary of the concerned District Legal Services Authority, to cross-verify the assertion of the respondents as to the availability of separate toilets for boys and girls and availability of drinking water. Survey shall also be conducted in randomly five selected government colleges in five different Tehsils of aforesaid ten Districts. We also direct the respondents to explore the possibility of providing solar power system so as to cover maximum number of primary/upper primary as also secondary/senior secondary schools, by involving big industrial establishments in the State under the Corporate Source Responsibility and encourage them to adopt particular number of schools, depending on the availability of funds under that head with them.

Matter to come up on 27.09.2019.

Further compliance report be filed by the respondents on or before the next date of hearing.

Application No. 59008/2017, 27554/2018 and 40/2018 stand disposed of.

A copy of this order be sent to the Member Secretary, Rajasthan State Legal Services Authority, Jaipur for needful.

(NARENDRA SINGH DHADDHA),J

(MOHAMMAD RAFIQ),J

MANOJ NARWANI /12



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