

ITEM NO.56

COURT NO.6

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 532/2013 In W.P.(C) No. 631/2004

J.K. RAJU

Petitioner(s)

VERSUS

STATE OF ANDHRA PRADESH AND ANR.

Respondent(s)

Date : 27/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. J.K. Raju, Petitioner-in-person

For Respondent(s) Mr. Guntur Prabhakar, Adv.  
Ms. Prerna Singh, Adv.

Mr. P. Venkat Reddy, Adv.

Mr. Sumanth Nookala, Adv.

For M/s Palwai Venkat Law Associates, Adv.

Mr. G. N. Reddy, Adv. (NP)

UPON hearing the counsel the Court made the following

O R D E R

We have perused the two reports submitted by the Committee. On a scrutiny of the same, we find that the Committee has expressed its dissatisfaction with regard to the acceptable state of the toilets in the schools. Mr. Ashok Gupta, learned senior counsel, who is the Chairman of the Committee, after referring to the report, has submitted that though there are structures relating to the toilets, yet conditions require to be enhanced to make it acceptable as there has to be continuous maintenance.

In our opinion, the submission of Mr. Gupta deserves acceptance, for that is what is reflectible from the report.

Mr. J.K. Raju, the petitioner appearing in person, submitted that though this Court has directed the States of Andhra Pradesh and Telangana to form a Scheme, yet total apathy has been shown and the Schemes have not yet framed.

Before dwelling upon the framing of the Schemes and the time-frame granted to the States, it can be said without any fear of contradiction that a toilet in structure only is not a toilet in reality. Toilets meant for schools, which are co-educational and the girls' schools have to have such toilets which are clean and acceptable having proper facilities. The States of Andhra Pradesh and Telangana, which are in focus, in this case for the present, cannot have innovative ideas to construct a structure, christen it as a toilet and thereafter forget it from their memory. That is not the purpose of providing toilets in the schools. It has to be borne in mind by the Authorities of the two States that clean and safe toilets also help in sustaining the health conditions of the students who use it.

Regard being had to the aforesaid, we would like the Scheme to be framed and filed before this Court within four weeks hence. The Secretary to the Government, School Education Department of both the States shall remain personally present before this Court at 10.30 a.m. on 10.03.2015.

Needles to say, the Committee shall proceed with its visits as directed earlier.

(R.NATARAJAN)  
Court Master

(H.S.PARASHER)  
Court Master