



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 17 of 2025

In The Matter Of Suo Moto Public Interest Litigation Regarding News Item, Published In Daily News Paper, Dainik Bhaskar, Bilaspur Bhaskar Dated 26.01.2025, Namely Sunday Big Story 76th Gantantra Divas Mana Rahe, Par Ye Tasvir Badalna Jaruri, 150 Schoolo Me Toilet Nahi, 216 Se Jayda Behad Kharab, Shikshikao Ko Urine Infection

... Petitioner(s)

versus

- 1 - State Of Chhattisgarh Through Secretary, Home Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh**
- 2 - Secretary School Education Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh**
- 3 - Secretary Public Works Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.**
- 4 - Director Directorate, School Education Department, Indravati Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.**
- 5 - Collector Bilaspur, District Bilaspur, Chhattisgarh.**
- 6 - District Education Officer District Bilaspur, Chhattisgarh.**
- 7 - Block Education Officer Block Takhatpur, District Bilaspur Chhattisgarh.**

... Respondent(s)

Order-Sheet

27/01/2025	This is an office reference. Heard Mr. Prafull N Bharat, learned Advocate General assisted by Mr. Shashank Thakur, learned Deputy Advocate General for the State/respondents. This public interest litigation petition has been registered on the basis of a news report published on 26.01.2025 in Hindi Daily newspaper namely Dainik Bhaskar with a heading “150 स्कूलों में टायलेट नहीं, 216 से ज्यादा बेहद खराब, शिक्षिकाओं को यूरिन इन्स्फेक्शन” and sub-heading “76वां गणतंत्र मना रहे, पर ये तस्वीर बदलना जरूरी”. The aforesaid newsreport relates to the condition of Government Schools situated in the District of Bilaspur. Clean toilets are mandatory in schools, but more than 150 government schools in the District do not have toilets. There are more than 200 schools where the toilets are not usable. Except for a few schools, all the other schools have common toilets for male and female teachers. Because of this, female teachers drink less water so that they do not have to go to the toilet. Some lady staff use the toilets of neighbouring houses. There are also schools which are located in open grounds where common people come and go on the way, and hence, the female teachers have to take the girl students alongwith them there so that they can urinate by making them

stand nearby in the form of a circle and provide a cover for them.

Admittedly, the School Education Department of the State spends a huge amount of money every year, but the responsible authorities do not pay any attention towards providing basic facilities. The aforesaid situation becomes worse for the lady staff especially during their menstrual cycle. As there is no toilet in the school, they prefer not to use but they are constrained to use the toilets of the people living nearby. There are two teachers and 87 students in the Primary School of Birkona, Aashavand, Mahamaya Nagar Ward No. 64. The students are constrained to go to the open grounds for urination one after another. The teaching staff uses the toilets of the private people for which they are required to pay the house owner a sum of Rs.200 per month as rent.

In Nayapara Basti of Ghutku, the lady teachers are able to go for urination when the girl students form a cover by standing. Nayapara Basti is located in the biggest Gram Panchayat, namely Ghutku, of the Takhatpur Block. Here 5 classes are held in one room. There is only one teacher. The school which is being run in one room of Indira Awas does not have a toilet. Children urinate in the open ground. The teachers and students have to hold back the urge to urinate for a long time. The girls are constrained to urinate while standing. Similarly, there are 4 female teachers in the primary school of Ward Number 43 of the Municipal Corporation. 102 children study in the school. Because

of the absence of toilets, the female teachers drink less water so that they do not have to go to the washroom. Many have started complaining of kidney infection due to not going to the toilet for hours when they need to urinate. Teachers also advise children studying in school to use the toilet at their own homes before coming to school. But it is not possible for everyone.

The aforesaid newsreport has been published on the auspicious day i.e. 26th of January 2025 when the entire Country was celebrating its 76th Republic day. The Government Schools of the Bilaspur District are struggling for the most basic amenity of a toilet. As per the aforesaid newsreport, firstly, there are no toilets in various schools, some of them have common toilets and also that many of the toilets are unusable.

The plight of the students and the staff, especially the girl child and lady staff can be very well understood when they are compelled to go for answering the nature's call in an open area which is a matter of shame for all. The said situation can lead to any untoward incident as the girl child and female staff are vulnerable to the antisocial elements of the society. The children studying in the school and the staff of the schools are definitely entitled to a much better environment so far as hygiene is concerned.

It is beyond understanding as to when there is no dearth of funds and crores of rupees is being invested by the State every year, how the

aforesaid situation is prevailing and what the authorities responsible for management of the Schools are doing? The aforesaid situation may also be one of the reasons as to why, especially the girl students leave the schools and do not complete their primary education. Further, if the teaching staff has to struggle for the most basic amenity of a clean toilet, how can it be expected that they would perform their duty with full dedication especially when the aforesaid situation is taking a toll in the form of their ill health and infections. It is the high time when the responsible authorities of the State are required to wake up from the deep slumber and take concrete steps for betterment of the prevailing situation.

Hence, at this stage, we direct the respondent No. 2 i.e. Secretary, School Education Department, Government of Chhattisgarh to file his personal affidavit in the matter before the next date.

Let this matter be listed again on **10th February, 2025**.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE