

HARI CHAND

ADVOCATE

ਹਰੀ ਚੰਦ

ਵਕੀਲ

PUNJAB & HARYANA HIGH COURT

ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ

H. NO. 2299,

SECTOR 44-C, CHANDIGARH-160045

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ਮਕਾਨ ਨੰਬਰ -2299

ਸੈਕਟਰ 44- ਸੀ

ਚੰਡੀਗੜ੍ਹ 160045

DATED: 11.6.2019

TO,

Director General School Education, Punjab, Vidya Bhawan
(Punjab School Education Board) Block E, 5th Floor, Phase-
VIII, Ajitgarh (Mohali).

BY SPEED POST/E-MAIL ID

Subject:- Non-compliance with the undertaking/affidavit filed by you on 5.12.2014, 20.4.2015 and 14.7.2015 in CWP-7393-2013 (H.C. Arora Vs. State of Punjab and others) – Notice before filing Contempt Petition.

Dear Sir,

Kindly refer to above. I am enclosing herewith a true copy of the order dated 17.7.2015 passed by a Division Bench of the Hon'ble High Court of Punjab and Haryana at Chandigarh in the aforesaid Civil Writ Petition, giving the following directions (in terms of the undertaking given by you in your affidavit dated 5.12.2014, 20.4.2015 and 14.7.2015):-

- i) the existing classrooms which are unsafe be demolished. In no case should the children be made to use the unsafe classrooms;
- ii) Additional classrooms that are required, as per the affidavit, be constructed at the earliest;
- iii) Provision for safe drinking water by installing Reverse Osmosis systems, water works connection and by chlorination etc. as stated in the affidavit dated 14.07.2015 be made in the schools where it is not so provided, within a period of six months; and
- iv) In all the schools clean and separate toilets for boys and girls be provided.”

In this connection, I have come to know that in a large number of Government Schools in the State of Punjab, still no provision has been made for installation of Reverse Osmosis system (ROs), and the water being drawn from water works, or submersible pumps is not fit for drinking. Similarly, large number of unsafe class rooms exist in a number of Government Schools, which have still not been demolished so far, and obviously, no new rooms have been constructed in their place, with the result that students of certain classes are sitting in the unsafe rooms. Thus, your deliberate inaction to comply with the directions issued by the Hon'ble High Court in its order dated 17.7.2015, amounts to commission of contempt of Court.

That although the number of Government Schools can be mentioned to substantiate the aforesaid contention against your deliberate inaction to comply with the aforesaid directions issued by the Hon'ble High Court, yet as illustrative examples only, it may be stated that in Government Sr. Sec. School Bhasor (West) (District Sangrur), the class rooms were declared unsafe by the PWD Department in the year 2016. There is no provision for RO for providing clean hygienic water to the students. Likewise, in the Government Primary School **Kalian** Block Bhagta Bhai, District Bathinda, the classes are held in unsafe classrooms, and the Department of Education is deliberately not approaching the PWD Department for declaring those classrooms as unsafe. This also amounts to circumvention of the aforesaid directions issued by the Hon'ble High Court on the issue of unsafe classrooms. Similarly, in Government Primary Schools Bhaini, Block Bhagta (Bathinda), the RO installed by a donor in the school is not in working condition, nor there is connection with any water works and the students have to drink heavy water of submersible pump, which is totally unfit for drinking. The School will not be in a position to install another submersible pump for pumping out clean and hygienic water. Similarly, in Government High School Nizamdin Wala, and Government High School Sodhi Nagar both in Ferozepur District, although water works connection is there, yet the said water is unfit for drinking. Similarly in Government Primary School Mehtan Colony, VPO Mehta, Tehsil Phagwara, District Kapurthala, the water supplied from water works is not fit for drinking. The classrooms are also in a dilapidated condition and the students sitting in those rooms run heavy risk of life.

I would therefore, call upon you to immediately conduct a survey and call for reports from the concerned Schools and ensure that all the 3519 unsafe classrooms (as given in your affidavit dated 5.12.2014) have

been demolished and no student is sitting in those classrooms. You may also kindly ensure that in all the 2035 Primary Schools and 887 Upper Primary Schools, where the samples of drinking water had failed (as per your affidavit dated 20.4.2015) appropriate arrangements have been made for supply of clean and hygienic water in terms of the direction issued by the Hon'ble High Court in its aforesaid judgment/order dated 17.7.2015.

In case, I do not receive a positive response from you within a period of two weeks from the date of receipt of this notice by you, in that event, I shall be left with no other alternative except to approach the Hon'ble High Court of Punjab and Haryana at Chandigarh through Contempt Petition for taking appropriate action against you, for deliberate violation/non-compliance with the directions dated 17.7.2015 issued by the Hon'ble High Court in CWP-7393-2013 (H.C. Arora Vs. State of Punjab and others).

Meanwhile, please acknowledge, receipt of this notice.

Thanking you.

(H.C. ARORA)
ADVOCATE