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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7529/2015

COURT ON ITS OWN MOTION

..... Petitioner

Through: Court on its own motion.

versus

LT. GOVERNOR AND ORS.

..... Respondent

Through: Mr.Rahul Mehra, Sr.Standing
Counsel, GNCTD with Mr.Sanjay Ghose, ASC,
GNCTD, Mr.Aditya Swarup Agarwal, Mr.Sanyog
and Ms.Pratishtha Vij, Advs.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR.JUSTICE JAYANT NATH

ORDER

22.01.2016

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1. This public interest petition has been taken up by this Court *suo motu* on a letter addressed by Justice S.Muralidhar bringing to the notice of the Chief Justice about the news report dated 04.08.2015 regarding the death of a 16 year old student in a Government school in Jahangirpuri, North West Delhi for lack of timely medical attention.

2. On 11.08.2015, we have directed the Directorate of Education and Directorate of Health Services of Govt. of NCT of Delhi as well as Commissioner of Police to file a short affidavit explaining the medical facilities available in the Government schools in Delhi to meet the contingencies like the one that happened 03.08.2015 in the Government school, Jahangirpuri. We have also directed the Commissioner of Police to file an affidavit explaining the allegations of negligence on the part of the teachers and Principal of the school and as to what actually transpired on

03.08.2015 resulting in the death of a student of the school.

3. In the short affidavit dated 14.09.2015 filed by Ms. Neena Kumari, Deputy Director of Education, District – North-West, it is stated that by Circular dated 03.03.2015, the Directorate of Education has directed all Heads of Government/Government Aided/Unaided Recognized Schools to have a sound ‘Emergency Response Mechanism’ in order to deal effectively with emergent situations like natural disaster such as earthquake, fire, violence, stampedes, terror attacks, suicide attempts or children falling sick due to stale/contaminated mid-day meal and etc.

4. A copy of the said circular has been enclosed, which reflects that an ‘Emergency Response Team’ has been directed to be constituted in every school in the manner specified therein. The responsibilities of the ‘Emergency Response Team’ have also been enumerated apart from various directions to ensure that every school must have a sound ‘Emergency Response Mechanism’ in order to meet any emergent situation/crisis.

5. In the affidavit dated 15.09.2015 filed by the Deputy Commissioner of Police, District - North-West, Delhi, while furnishing the details of the investigation conducted into the incident so far, it is stated that investigation of the case is still pending and the Deputy Director of Education, Directorate of Education, DL-Block, Shalimar Bagh, Delhi has been requested to provide the SOP/guidelines for school authorities issued by the concerned Department to deal with such situations and also to handle the injured students/persons within the premises of the school. It is also stated that the Deputy Director of Education, Directorate of Education, DL-Block, Shalimar Bagh, Delhi has been requested to conduct an official enquiry into the matter and to provide the outcome of the same.

6. In view of what has been stated in the affidavits filed on behalf of the Directorate of Education and the Commissioner of Police, we dispose of the writ petition with a direction to the respondents to ensure strict compliance of the circular dated 03.03.2015 and also to take all necessary further steps to ensure safety and security of the children during their stay in the school premises.

7. Writ petition is accordingly disposed of.

CHIEF JUSTICE

JAYANT NATH, J

JANUARY 22, 2016/n