

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
PUBLIC INTEREST LITIGATION NO.08 OF 2016

Dr.Jagannath s/o Shamrao Patil

Petitioner

Versus

The Union of India & others

Respondents

Mr.A.N.Irpatgire, advocate for the petitioner.

Mr.S.B.Deshpande, Assistant Solicitor General for Respondent No.1-Union of India.

Mr.A.B.Girase, Government Pleader for Respondents No.2 to 4.

**CORAM : DR. MANJULA CHELLUR, C.J.
AND R.M.BORDE, J.**

DATE : 29th June, 2017.

P.C. :

1 The petition is filed expressing grievances and hardships the general public undergo even with regard to pre-primary education in the State of Maharashtra.

2 As a matter of fact, under Section 11 of the Right of Children to Free and Compulsory Education Act, 2009, there is an obligation to lay down the procedure for pre-primary education as well, since pre-primary education has also taken a major role in the education system of the Country. In the light of having many establishments which cater pre-primary education where there is no proper norms or guidelines, a serious disparity is caused amongst the Institutions and also quality of the education given in the pre-primary education institutions.

3 In that view of the matter, having regard to the importance and benefits a child can acquire from pre-primary education, the framers of the statute took care of pre-primary education also, which is a foundation in the education of any person and Section 11 is made in this regard. In that view of the matter, we failed to understand, why the respondent-authorities are not able to bring any procedure or policy with regard to pre-primary education in the State of Maharashtra even after having a study tour in the other States like Rajasthan, etc. If such policy is under active consideration of the authorities, we fail to understand, why they need one year to bring out such policy.

4 Under these circumstances, we dispose of the petition directing the Respondent-State authorities to bring a policy into existence by the end of 2017 i.e. on or before 31.12.2017 in consonance with Section 11 of the Right to Education Act, 2009.

R.M.BORDE, J.

CHIEF JUSTICE

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