

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-PIL No.16 of 2019
Date of decision: 08.05.2019**

Amit Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Amit Kumar, petitioner-in-person.
Mr. Shreesh Gupta, Sr. Deputy Advocate General, Punjab.
Mr. Deepak Balyan, Additional Advocate General, Haryana.
Ms. Shubreet Kaur, Advocate, for U.T., Chandigarh.

KRISHNA MURARI, C.J. (Oral)

Reply by way of an affidavit filed on behalf of respondents

No.1 & 4 is taken on record.

This Public Interest Litigation has been filed seeking the following main reliefs:

- “i Issue of a writ in the nature of Mandamus for directing the respondents to take necessary steps to reduce the weight of the school bag of children as it causes severe medical problems and respondents have been empowered in view of Article 15(3) to make special provisions for children and are duty bound under Article 39(f) to provide healthy environment to children for their development.**
- ii. Issue of a writ in the nature of Mandamus for directing the respondents to formulate “Children School Bag Policy” reducing the weight of the School Bags in pursuance to the**

instructions issued by Ministry of Human resource Development (Annexure P-14 Colly) in compliance of judgment dated 29.05.2018 (Annexure P12) by Madras High Court in W.P. 25680 of 2018 and in the line of guidelines issued by either State of Telengana or State of Maharashtra.”

In response to the notice of motion, State of Punjab and State of Haryana have filed their respective affidavits setting out the steps taken by them by framing guidelines for reducing the weight of school bags for students.

State of Punjab has framed the guidelines dated 29.04.2019 and has been circulated to all District Education Officers of Punjab with a direction to comply with the instructions in all Government/Aided/Private schools in their respective districts in letter and spirit. The Education Officers have also been directed to carry out periodical checking along with regular inspection of the schools. The scheme framed by the State of Punjab reads as thus:

“Subject:- Guidelines for reducing the weight of school bags for students.

The well being of students/children has always been a prime concern for the department of School Education, Punjab. Therefore, it is necessary to pay attention to the health of children along with their intellectual and all round development. It is seen that excessive weight of school bags has an adverse effect on the overall health of the children. Besides, mental stress and fatigue, the students tend to suffer from muscular pain in shoulders, back, knees and legs. So, keeping this in mind, the School Heads and

teachers can play a vital role in this regard. At their own level, they need to take suitable action to overcome this problem by sensitizing the students and their parents.

In order to make the Teaching-learning process easier, more interesting and stress free for the students, the following instructions are hereby, issued.

- The theme, “Adverse effects of heavy school bags’ may be included in various activities and functions conducted in schools or it can be shared during school assembly.
- The students should be prevented from bringing extra material other than textbooks and note books. They should be encouraged to prepare their bags on daily basis as per the time table.
- The teachers should make the parents aware about the harmful effects of heavy bags on children’s health during the Parent-Teachers Meeting.
- Under Health Education Programmes, the teachers should guide the students regarding the correct and proper way of carrying the bags (like not carrying on one shoulder, rather it should be carried on both shoulders with broad strings) so as to avoid the problem of pain in the back, neck, legs and shoulders.
- The parents should be guided to buy a simple and light weight bag which could be carried easily.
- The school bags should be checked from time to time (at least once in a month) and the teachers should ensure that there are no extra items in the bags.

- In Primary schools, the books, notebooks and stationery of students can be kept in wooden or iron almirah/rack in the classroom, so that the weight of school bags could be reduced.
- According to Ministry of Human Resource Development (MHRD) the weight of school bags should be as under:-

Class	Weight
1-2	Upto 1.5 kg
3-5	2-3 kg
6-7	Upto 4 kg
8-9	Upto 4.5 kg
10	Upto 5 kg

Note- The weight of the bag should not be more than 10% of the body weight of the student.

The District Education Officers (E.E./S.E) are directed to comply with the instructions given above in all government/aided/private schools in their respective districts in letter and spirit. Periodical checking may be done along with regular inspections of the schools.”

Similarly, the State of Haryana has also framed a scheme known as ‘Instruction regarding additional subjects/weight of School Bag’, which is in sync with the directions issued by the High Court Judicature of Madras in its judgment rendered in Writ Petition No.25680 of 2017 titled **M Purushothaman v. Union of India & others** [which is also the prayer made by the petitioner in para 29(ii)]. The instructions clearly prescribed the weight of the school bags in respect of different classes from Class I to Class X.

Having gone through the affidavits filed by the respective States, we are satisfied that the grievance raised by the petitioner through this Public Interest Litigation stands addressed and, thus, there is hardly any necessity for this petition to continue on board any further and the same accordingly stands disposed of.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

08.05.2019
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO